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BOROUGH OF HATBORO

COMMITTEE MINUTES

Monday, March 10, 2003

PRESENT
President Clark, Vice President Zygmont, Councilpersons Acker, Ehrsam, Polaneczky (7:45 p.m.), and Taggart, Chief Gardner, Borough Manager Pantano, and Superintendent Stauch (7:45 p.m.).

ABSENT
Councilperson Younglove.

CALL TO ORDER
COUNCILPERSON TAGGART called the meeting of the Council of the Borough of Hatboro to order at 7:33 p.m.

PUBLIC SAFETY COMMITTEE, Mr. Taggart, Chairperson
The meeting of the Public Safety Committee was called to order at 7:32 p.m.

The **Fire Company Expenditure List** was reviewed by all present. VICE PRESIDENT ZYGMONT asked if the items without prices were free. Rich Lefebvre stated that the items without prices reflect items that they are not sure of the cost of at the time of purchase. He further explained that all of the blanks were for emergency purchases.

COUNCILPERSON TAGGART explained that they want to change the police rank from **Corporal to Sergeant** and the Civil Service Commission suggested making changes to the rules and regulations. The Civil Service Commission met earlier this evening and made the recommendation to follow the procedures set forth in their memo dated March 10, 2003. VICE PRESIDENT ZYGMONT asked if the process would be reverted back to the original way once the current corporals became sergeants. Councilperson Taggart said yes. Councilperson Taggart stated that our corporals basically do the job of sergeant. They are the shift commanders and we just wanted to make them sergeants to become comparable to the local police departments. Councilperson Taggart stated that they are not receiving a pay increase as a result of the rank change. COUNCILPERSON EHRSAM asked if they already have the responsibilities of the sergeant. COUNCILPERSON ACKER explained that it's basically a title change. Councilperson Taggart asked Borough Manager Pantano to put this item on the agenda for the next Council meeting.

COUNCILPERSON TAGGART noticed, at a recent Council meeting, that public works was hanging the **banners** over York Road. Councilperson Taggart spoke with representatives of the fire company, after noticing the expenses incurred with having the public works employees hanging the banners on overtime. He stated that the fire company used to do it in years past for a donation from whoever was sponsoring the banner. Councilperson Taggart asked if we were reimbursed for hanging the banners. Councilperson Ehrsam stated that he did not know why anyone would be hanging the banners during overtime hours. Councilperson Taggart explained that they do it at night to avoid the traffic, which poses a safety hazard. Councilperson Ehrsam stated that they usually do it very early in the morning and he asked Superintendent Stauch if this was correct. SUPERINTENDENT STAUCH stated that they were always hung during the overtime period for safety reasons. Councilperson Ehrsam apologized and stated that he's always seen them hung during the daytime. FIRE CHIEF ZOLLERS stated that they are very rarely hung during the day. Superintendent Stauch stated that they are only hung during the day if it is torn down or something. Superintendent Stauch explained that the volume of vehicles prevents them from hanging the banners at 7:00 in the morning. He further explained that they have been doing it like this for two or three years. VICE PRESIDENT ZYGMONT asked if this was discussed in the banner resolution. COUNCILPERSON ACKER stated that the fire company used to put up the banners but when their truck was not available, public works was asked and it never reverted back. Fire Chief Zollers explained that they were in between trucks so they had no way of doing it and public works

has been doing it ever since. Councilperson Taggart asked Councilperson Ehrsam if it is something he would like to review under his committee. Councilperson Ehrsam stated that it is something he would like to look into.

VICE PRESIDENT ZYGMONT asked if the Fire Company would be providing Council with the **actual costs** when they know them. Rich Lefebvre said absolutely. She also asked if they were applying for grants. Rich Lefebvre stated that they decided to apply for **radios** and a **cascade system**.

The meeting of the Public Safety Committee was adjourned at 7: 41 p.m.

ADMINISTRATION COMMITTEE, Dr. Clark, Chairperson
The meeting of the Administration Committee was called to order at 7:42 p.m.

PRESIDENT CLARK stated that they had previous discussions about the **open records law**, which determines how much money we charge for copies. He stated that Borough Manager Pantano exhausted the study by asking several townships and boroughs. Through his research he found that $0.25 is the going rate. BOROUGH MANAGER PANTANO explained that he additionally looked into what it costs to fulfill requests. He stated that if the request only took one minute then it would cost, at the minimum, $0.26 so the $0.25 cents is right in line with what it would cost. Some municipalities charge $0.50 but an overwhelming amount of them charge $0.25 per copy. Borough Manager Pantano explained that the copying fees were, to his understanding, the only outstanding issue regarding the open records law. COUNCILPERSON POLANECZKY stated that he had a couple questions about that. He spoke to Officer Goold, who maintains **channel 22**, and he stated that it wouldn't be too difficult for the person who does the website to add Adobe Acrobat so the minutes and the budget could be downloaded. This would save the copying fees and save administration the time to copy the information. Councilperson Polaneczky asked if Borough Manager Pantano could discuss this idea with the representative from Netcreative. President Clark asked Borough Manager Pantano to place the open records law on the agenda for the next Council meeting.

PRESIDENT CLARK stated that it has come to his attention, due to practicality and based on other municipalities, that **cell phones** ringing during meetings is rude and can be a real problem when trying to maintain continuity throughout the meeting. He asked Borough Manager Pantano to create a resolution so the cell phones would be turned off while the committees or council is in session. The resolution states:

> Whereas the Borough Council of Hatboro is desirous of conducting business without interruption or distraction and whereas Council of the Borough of Hatboro has determined that the ringing of cell phones is distracting and interrupting of the proceedings before Borough Council. Now therefore, we have resolved by the Borough Council of the Borough of Hatboro that all cellular phones not be brought into the Council chambers or those cell phones that are brought into Council chambers are turned off. It is further resolved that the Borough Manager is hereby authorized to prepare a notice for Council.

Mr. Battis, West Moreland Avenue, stated that this request is fine for the audience but he was concerned about this restriction being placed on emergency personnel such as the police and fire department. President Clark stated that emergency phones could remain on. COUNCILPERSON POLANECZKY suggested that the phones could be placed on vibrate rather than restricting citizens from keeping them on. He stated that it could be revised to state that the phones should be set so that no audible tones could be heard. VICE PRESIDENT ZYGMONT stated that it's upsetting to her that we paid for a resolution and this has not even been discussed yet. President Clark explained that they are all discussing it right now. Vice President Zygmont stated that she guessed that that's symbolic of their lack of communication. Councilperson Polaneczky asked if his idea would be considered as a revision to the resolution. COUNCILPERSON ACKER stated that he felt it was a viable alternative. Many people who have pagers or phones could still be contacted in the event of an emergency, without

disrupting the Council meeting. Councilperson Polaneczky stated that we could add that emergency personnel would be specifically exempt from this resolution. Mr. Tompkins asked if it would make sense to add pagers and any devices that emit tones. President Clark stated that all of the comments were constructive and he will now have the resolution refined to see if all of these items can be included. President Clark thanked everyone for their input.

COUNCILPERSON POLANECZKY stated that he's not sure where we stand but he knows we talked about **appointments** at the beginning of the year for members for positions on committees. He knows also that when we arrived at meetings the appointments and interviews were put on the back burner. They were going to interview and then they weren't going to interview. He asked where exactly they stand as far as filling these vacancies. PRESIDENT CLARK stated that his recommendation was to allow the people that serve on the committees to appoint any new committee members. Councilperson Polaneczky asked when these interviews would take place because he realizes that it's March now and the appointments have to be approved at Council meetings. He added that we are already a quarter of the way through the year without people on these committees. He added that certain committees, like the water authority, have been short one member for over a year. He mentioned that we hold their resumes on file for more than two years and he doesn't understand how we are not able to fill positions when we have the resumes on file and people are willing to serve. President Clark stated that he would be glad to fill any vacant positions. Councilperson Polaneczky asked if there would be meeting dates set, for interviewing, that they would know about more than two days before time. Councilperson Acker suggested re-advertising the positions to see if there is anyone new that may also be interested in filling the positions. Councilperson Polaneczky stated that he has a cover letter and resume from Owen Adams, from before Dr. Clark was president, which is what made him mention this in the first place. He was reviewing his old records and this request for an appointment to the Civil Service Committee was over two years old. He knows that for a while there was only one member until we determined that Councilperson Taggart could still serve even though he was on council. Councilperson Polaneczky stated that he wasn't sure if they were lost or not but he was interested in filling the positions. COUNCILPERSON EHRSAM asked if it included the Library Board vacancy since it's been vacant since September of last year. President Clark asked Borough Manager Pantano if he has advertised. BOROUGH MANAGER PANTANO stated that he advertised on the cable channel and in the newspaper. He believes something was also sent to the website but he's not positive about that. VICE PRESIDENT ZYGMONT asked if they included all of the vacant positions. Borough Manager Pantano said yes. Councilperson Ehrsam asked if we would be interviewing for the library board. President Clark said yes. Councilperson Ehrsam asked if the boards have been advised of when we are doing this. President Clark asked for clarification on the specific boards he was talking about. Councilperson Ehrsam said the library board and water authority. President Clark stated that he spoke to them this week. Mr. Tompkins stated that he knows it has come up in the past and is not sure if it's an issue or not but he was wondering if they had to review the current appointments on a yearly basis. He asked if there should be a policy to ensure that these reappointments and appoints would become a priority. President Clark stated that they could establish a policy. Councilperson Ehrsam stated that we have a policy but unfortunately it's been changed.

VICE PRESIDENT ZYGMONT asked of we would be sending a letter to a legislator about **Rendell's budget**. She knows the House has already passed it and she is not quite sure about the Senate yet. She mentioned that it is going to effect us in a lot of ways including a 50% reduction in aid to state libraries. COUNCILPERSON POLANECZKY stated that we could send out a letter to Senator Greenleaf and State Representative Cornell.

The meeting of the Administration Committee was adjourned at 7:53 p.m.

PARKS & RECREATION COMMITTEE, Mrs. Zygmont, Chairperson

The meeting of the Parks and Recreation Committee was called to order at 7:54 p.m.

VICE PRESIDENT ZYGMONT asked if **The Goose Guys** have been contacted. BOROUGH MANAGER PANTANO said they have not been contacted since the last time he talked to them about being onboard. He added that he never got back to them as to whether or not Miller Meadow was included. He understands that Miller Meadow is not going to be included. Vice President Zygmont stated that she wanted to make sure that the contract was confirmed. Borough Manager Pantano said it was confirmed.

VICE PRESIDENT ZYGMONT asked if they had a chance to investigate the feasibility of putting the **pool money** into the general fund for budget purposes. COUNCILPERSON POLANECZKY stated that he was not sure if it could be done on the chart of accounts but knows that the pool revenues would be reflected as their own line items. Vice President Zygmont asked if they would each be properly accounted for. Councilperson Polaneczky explained that when the bookkeeper does the financial statements, you would see the pool revenues as a segregated enterprise fund.

VICE PRESIDENT ZYGMONT asked Superintendent Stauch if he had the chance to get any notes together on any big expenditures for the **pool** for this year since she would be meeting with the pool manager this week. SUPERINTENDENT STAUCH said he regrets to say it but the pool expenditures were not able to be a big priority in the past few weeks due to the snow. BOROUGH MANAGER PANTANO confirmed that they did, however, discuss it.

The meeting of the Parks and Recreation Committee was adjourned at 7:58 p.m.

ZONING, DEVELOPMENT & HISTORICAL PRESERVATION, Mr. Acker, Chairperson

The meeting of the Zoning, Development, & Historical Preservation Committee was called to order at 7:59 p.m.

COUNCILPERSON ACKER introduced the presentation of the proposed development for the **vacant lot** between DeLuca's Music and the frame shop. Mr. Bob John stated that the property involved is on the western side of the road and it's owned by Elaine **Belfus**. The proposed use is two apartments upstairs and downstairs they are looking to use 2,100 square feet for retail space. They are not sure of the type of retail at this point but it could be used as a small restaurant or a retail store. If it is used for a restaurant then the proposed parking requirements would be less. The total area would be about 2,400 square feet including the staircases. Mr. John added that there is a very unusual diagonal line that goes in between the two properties between where the old building was and DeLuca's Music. They propose fixing that line so the line will mark where the new building will be. That's a minor item that is required for a subdivision. The existing building that is now DeLuca is already under 50 feet and they are going to ask for about 4.03 feet less than the 50 foot requirement. ZONING OFFICER HELLER stated that it is currently 48.27 and they want to bring it down 44.24, which is a difference of 4.03. According to Mr. John, the reason for that is because the lot will be straight and there are certain existing features to that building so it will be adjusted. Mr. John stated that they presently have 9 parking spaces. The plan proposes 21 parking spaces. There is another proposal, in the making, which will add another 3 spaces thereby making the total 24 parking spaces in the back. This proposal is being worked out with Café LaFontana. As of right now, Café LaFontana is in agreement but it has to be worked out with other retailers. There are an additional 4 parking spaces on the street. Part of the proposal is to utilize approximately 4 parking spaces of the municipal lot located at Moreland and York. They made a contribution when that was first built, for that parking lot. If they use 2,100 square feet downstairs then they are 5 parking spaces short. If it is utilized for a restaurant then there is 1 space required for every 4 seats and it would be 1 space for every 100 square feet of use for retail space. Zoning Officer Heller mentioned that there was a 20 feet wide fire lane and it was 22 feet in some areas. Mr. John explained that the other issue on parking is that the ordinance requires that the parking spaces are to be 15 feet from the residential line. As proposed, they would install a privacy fence between the residence and the parking spaces. COUNCILPERSON EHRSAM asked about the fire lane. FIRE MARSHAL STAUCH stated that it should be at least 18 feet. Mr. John stated that the Applicant does comply with the 20-foot requirement. COUNCILPERSON POLANECZKY asked about the arrow seemingly in and out of the fire

lane between the properties on the side where the Deluca building touches the proposed building. He asked if it was a proposed garage. Zoning Officer Heller stated that it is the egress. Councilperson Polaneczky asked for clarification on whether or not a parking space could go in there. Zoning Officer Heller said they could not put a parking space there because that's how they get into the 9 spaces for the store. BOROUGH ENGINEER SOLARZ reminded everyone that the Applicant still has to go in front of the Zoning Hearing Board for a variance. He added that the Applicant should pick the use that would give them the most flexibility and then put together a few proposed parking scenarios dependent on a few proposed uses to give them flexibility when presenting their proposal. Without doing that, the Borough cannot really give them any further consideration. Borough Engineer Solarz mentioned that this concept really makes sense, however, they should provide Council with more information. Councilperson Ehrsam asked if they were adding in the 3 spots from the Borough's parking lot. Mr. Randy Belfus stated that they worked out the plan so that it was safe for everyone. Councilperson Polaneczky asked if the Applicant has worked out anything with the neighboring property owners. Mr. Belfus stated that he has attempted contacting them. Councilperson Polaneczky stated that there are still problems with parking situations, overflow of parking from some establishments into other establishments, and the resulting problems between the neighbors and the policing of the use of spots. Instead of creating more of a problem back there, he wondered if there was an attempt to work something out. Mr. Belfus stated that they are eliminating the elbow and it will be illegal to block it. Councilperson Polaneczky stated that one of the 6 Belfus spots actually bleeds into the Lewis' property. Mr. Belfus stated that it was moved off. Councilperson Polaneczky stated that it's still like that on the plans. Councilperson Polaneczky stated that he is also worried about the camera shop and the pretzel store. He asked Mr. Belfus if they have had any discussions with the Lewis'. Mr. Belfus stated that he has attempted to. Councilperson Polaneczky stated that he is trying to head off the situation before it develops plus he is nervous about the fire lane. He noted that there has been parking in the fire lanes. He added that at Café LaFontana there is parking up against the building and they are parked sideways sometimes. Mr. Belfus explained that with the proposed parking plans it will be illegal to park that way. Councilperson Acker stated that the drawing has to be more to scale and then they can go in front of the Zoning Hearing Board for the actual approvals. Borough Engineer Solarz stated that the current plans are very preliminary and there are a number of things that need to be addressed, which are explained in the letter. The next step will be for the Applicant to appear before the Zoning Hearing Board on March 19th. At that time they will also pursue the parking issues. Then they can come back before Council for another presentation. Mrs. Lewis asked if they would present before the Zoning Hearing Board on March 19th. Councilperson Acker said yes. Mrs. Lewis asked if there has been 30 days notice given and advertising placed to notify the immediate neighbors. Zoning Officer Heller stated that it does not have to be 30 days notice and it has been advertised in the local paper. Mrs. Lewis asked if the neighbors had to be notified. Zoning Officer Heller said yes. She asked if they were excluded from the advertising. Zoning Officer Heller said no. Then Zoning Officer Heller realized that there is not a date set for the Belfus hearing. There is a date set for the Upper Moreland Sewer Authority, which has been advertised. The next meeting will be at the beginning of April for the Planning Commission and the end of April for the Zoning Hearing Board. Councilperson Acker asked for clarification on the Zoning Hearing Board meetings. Zoning Officer Heller stated that the Zoning Hearing Board meets on March 19th for the Sewer Authority. Councilperson Acker clarified that between now and the meeting in April all of the proper procedures, such as advertising and notification to neighbors, will be in place. Zoning Officer Heller said yes. According to Zoning Officer Heller, the Zoning Hearing Board meeting is scheduled for April 30th and they are attempting to move it to April 23rd. Councilperson Acker reminded everyone that by the Zoning Hearing Board meeting, the Applicant would have gone to their engineer to finalize the recommendations based on the Borough Engineer's review. Councilperson Ehrsam asked exactly how many parking spaces they are short. Mr. Belfus said they are 5 short. Mr. Belfus asked if they should obtain full plans. Councilperson Polaneczky stated that the more spaces that they provide would produce less of a variance that they will need. Councilperson Polaneczky added that he's not sure what the precedence is for using public municipal lots. He added that when Tom McMackin proposed his addition, Council made him add the 9 spaces within the footprint of the plans despite being right in front of the municipal lot. He mentioned that Tom McMackin stated that the architect utilizing the office upstairs could park in the municipal lot and Council was not sure about allowing that.

Councilperson Polaneczky stated that he would like to see everybody trying to work something out, thereby not excluding people. He stated that he could understand the concerns from all sides. Mr. Belfus stated that he would love for everyone to get together. Councilperson Acker stated that this plan offers the potential for cleaning up a messy situation and also brings in more tax revenue. This will better define the area in the back there. Mr. Belfus explained that it could turn out really nicely but they need more cooperation from neighboring residents, rather than 90% cooperation. Borough Engineer Solarz stated that they need the deed research done for the property, which is one of the things, pointed out in the review letter. They should look at the deed going along the back alley and see what rights various people have and don't have. This would help when looking at the bigger picture. Mr. John stated that the items that the engineers suggested are will comply issues except for the variance they need for those areas that were mentioned such as parking and the 15-foot setback. He added that there would be a waiver for some landscaping items as well. Councilperson Acker understands that it's seemingly quite confusing for those in the audience who cannot see the plans but he asked if there were any questions at this time. Mrs. Lewis asked if CVS has been notified. Councilperson Acker stated that at this point he didn't think that the Applicant formally approached them. Mr. John stated that there has been some research underway to see what if there is anything legally binding them one way or the other but at this point there is still no agreement with CVS. Councilperson Ehrsam stated that the Borough has an easement, which is in the lease. Councilperson Acker stated that he hopes formal discussions between the Applicant and their neighbors takes place soon. Ralph DiRienzo stated that the biggest problem he encounters with the parking lot is when they are trying to get the fire truck in the lot. He explained that when the doors are open on the truck you need 12 feet plus you need room for personnel to move around with equipment. Zoning Officer Heller explained that if they do straight-on parking then they will have a lane that is 22 feet in width, for the first 60 feet or so and then the width goes down to 20 feet and then back up to about 22 feet again. Ralph DiRienzo reiterated that their biggest problem is getting in the lot. Councilperson Polaneczky stated that he can understand what he is talking about. Ralph DiRienzo further explained that with the vehicles parking in the street, the fire truck cannot make it around, especially the ladder truck. Zoning Officer Heller mentioned that the land development part of it would mandate the radius of the driveway. Borough Engineer Solarz stated that these are the items we will look at when we look at the next set of plans. He stated that all of their plans should be stated on the plans in order to receive a recommendation from Council. Mickey Glantz asked who had the final say of the final plans of new construction. Councilperson Acker stated there are a multitude of facets they would have to go through. First they have to appear before the Zoning Hearing Board for the variances, then they will work through the normal channels and then come back for land development purposes. Mickey Glantz asked who has the final say or the final approval on the plans for the new construction. Councilperson Acker stated that the Borough has the final say. Mickey Glantz asked who, in the Borough, has the final say. Zoning Officer Heller said Borough Council. Mickey Glantz then stated that Borough Engineer Solarz did not call him back so he is bringing this up at the meeting. He added that two weeks ago he was finally privileged to see the final plans of **Commerce Bank** and he had never seen them before. He said that they may have been available to the public. He added that on the plans he somehow gave Commerce Bank an easement to his property and no one ever asked him for permission. He said that Zoning Officer Heller knows what he is talking about because he questioned Zoning Officer Heller when he say the plans and Zoning Officer Heller told Mickey Glantz that he didn't know anything about it. Then he called Borough Engineer Solarz because he did not give permission for Commerce Bank and there is nothing in writing yet it is on the final plans. He is concerned and asked who is watching out for Hatboro. He asked who is watching out for the neighbors and the taxpayers in this town. He said there is no easement given by Hatboro Collision, Mickey Glantz, or WMG Properties to Commerce Bank. Then he said that Commerce Bank representatives are the nicest people in the world but he wants to know who is watching the store and who is giving the final plans to the people coming into the community. He apologized for getting upset but no one gives him answers. He stated that he did not want to bring it back but no one calls him back with answers. Borough Engineer Solarz stated that he spoke with Zoning Officer Heller about the situation after Mickey Glantz called Gilmore & Associates. He added that Zoning Officer Heller mentioned that Mickey Glantz spoke to Zoning Officer Heller about the situation as well. They had a conversation about it and the way it's set up on the plans, in the event that they need to be so close to

Mickey Glantz's property line then they need to get a construction easement. Borough Engineer Solarz stated that this is a way for Gilmore & Associates to call this to Commerce Bank's attention. He added that this was already brought up as part of the review to protect the properties that are adjacent to the land development. Therefore, if their contractor needs to enter Mickey Glantz's property, or if they would have to go so close to the property that they would have an effect on the property, then they are required to get the easement and get the approval from the affected property owner. Borough Engineer Solarz said this is on the plans so they know to make these arrangements should the need arise. Mickey Glantz stated that when he spoke to Borough Engineer Solarz and Zoning Officer Heller neither of them told him this information but they did say, "You mean to tell me they never spoke to you?" Mickey Glantz said he was going to again ask who is watching the stores. Borough Engineer Solarz stated that he didn't know it at that exact time. Zoning Officer Heller stated he wanted Mickey Glantz to know that Commerce Bank was originally going use his property for access with small trucks. They were going to use the back section of his property, which is why it was mentioned on the drawings. Zoning Officer Heller added that during the construction process, Commerce Bank realized that they did not have to enter Mickey Glantz's property. Zoning Officer Heller announced that Commerce Bank has been notified and they did pick up the easement for the Rich property on the western side of their piece of property. Zoning Officer Heller explained that he has the easement on file somewhere. He just received it this week, however, it was executed about two weeks ago. He added that if the Applicant finds that they have to go onto the property of Mickey Glantz to do any work, facilitate any repairs, do anything to the fence, or to clean up in general then they will contact Mickey Glantz directly about getting the 5-foot portion, along the fence, as an easement. Councilperson Acker asked for verification that an easement has not been granted other than the area behind the Commerce Bank property. Zoning Officer Heller verified that his statement was correct. Councilperson Acker explained that an easement is not in place as was originally implied. It has simply been identified, on the property line, any place where the Applicant may have to go over their own property line, thereby being required to get an easement. Mickey Glantz stated that if you looked at the plan you would be as surprised as he was and as he's listening to the Lewis' and the Belfus' he is remembering that no one from Commerce Bank has talked to Mickey. He reiterated that the man from Commerce Bank is the nicest man in the world but he really doesn't know how it will work out with the Lewis' and the Belfus'. He strongly urged the Belfus' and the Lewis' to look at the final, last minute plans because no one is watching out for them. Randy Belfus asked if they would have an easement on their plans. Councilperson Polaneczky asked if it would require a document from the person that is developing it. Zoning Officer Heller said yes, if they are going to execute the use of it. Councilperson Polaneczky stated that he's not saying it's right or wrong but asked if it would be better to secure these ahead of time in case there is a problem. He explained that Mickey Glantz seems to agree with Commerce but what if he didn't and they needed the easement to complete the construction as planned. Borough Engineer Solarz stated that everyone should keep in mind that before any construction starts there is a Developer's Agreement and an Escrow Agreement in place with any applicant and any developer. They are required to post a significant amount of escrow that basically covers the cost of site improvements. He added that in a case like Commerce Bank they escrowed a lot of money – well over $300,000 so the Borough has something to hold them accountable for. There is a Land Development Agreement and an Escrow Agreement in addition to all of the notes on the plans, giving the Borough a lot of clout in order to protect the Borough and it's taxpayers. This allows the Borough to address issues if/when they may come up. He gave an example using Mickey Glantz and he explained that if there was a problem with Mickey Glantz not agreeing with the Applicant then there would be many ways to rectify the situation. Borough Engineer Solarz stated that there are a number of things that are in place to protect the residents of the Borough. Mickey Glantz asked how come the Borough didn't go after Carr & Duff with all of the mistakes they made on our streets. Councilperson Acker said that wasn't up for discussion right now. Zoning Officer Heller stated that Commerce Bank would be approaching Mickey Glantz this week anyway. Mickey Glantz stated that there was a problem and he called Zoning Officer Heller and he came right up to the site to repair the problem with gutting the house. He added that he was there on a Friday night taking care of the problem. He added that Zoning Officer Heller saw Mickey Glantz' face when he originally saw the word easement. Councilperson Acker stated that he could understand Mickey Glantz thinking that he gave something up for Commerce Bank. Mickey Glantz stated that it just

didn't make sense. Councilperson Acker summarized the Belfus plans by explaining that they will go before the Zoning Hearing Board and if they get all of their necessary approvals from the Zoning Hearing Board then they will come back to Council for another public meeting. Councilperson Acker is hopeful that there will be clear communication between all of the parties involved and he encouraged public comment. He reiterated that the adjoining property owners must know what is going on and how they may be impacted.

COUNCILPERSON ACKER stated that he would like to discuss considering the final approval for the **Moreland Townhomes**. He introduced Kurt Schaffer, Ed Chadrow, and Mr. Braccia. Kurt Schaffer stated that he believes that everyone is familiar with the site, commonly known as the south parking lot, covering 1.14 acres of ground. The proposal is to construct 17 two-story townhomes on the site. They are here tonight seeking final approval from the committee in order to proceed to the Council meeting. He has a memo from Borough Engineer Solarz dated March 7, 2003. He stated that item states that the Applicant is required to have a Developer's and Escrow Agreements. Kurt Schaffer stated that he has been in contact with Solicitor Meyer and he set Mr. Schaffer various agreements. He had one minor issue with the Escrow Agreement, and that is regarding the proposed cash escrow and his client, the Applicant, proposed a letter of credit escrow. He mentioned that Solicitor Meyer has indicated that he would revise the letter and get back to him. The second item addresses the fact that the year for the signature, on the condominium documents, does not say 2003. Fixing the date should resolve this item. The third item is the permission to pay a fee in lieu of open space. He proposed paying $500 per unit, which totals $8,500 in lieu of open space. Alternatively, he can send the money to Parks & Recreation if that is preferred over the general fund. Item 4 reminds the Applicant that all of the laborers should be listed on the plans. This item is considered a will comply. Item 5 reminds that Applicant that it may be necessary to get an update from the Montgomery County Conservation although the pre-approval the Applicant does have with them is still valid for another 11 months. He added that if it is necessary, the Applicant has no problem obtaining the update. Item 6 is the request of the copy of the approvals for a public water supply. He has received that letter, dated March 4th, and they confirm that the plans are acceptable pending the various fees that they want to see paid. Item 7 reminds the Applicant that we need an approval letter from the Sewer Authority. They sent out a letter, dated January 15th, which in essence says that they are ready to go but until the site is approved by the Borough of Hatboro they will not send out a formal letter. Kurt Schaffer asked if this item could become a conditional approval based upon the intent of their letter. COUNCILPERSON POLANECZKY asked how the sewage and the laterals are situated on this project. He then asked if they would be dedicated to the Sewer Authority and how many would be at each level. Kurt Schaffer stated that they don't know how many would be at each level. Ed Chadrow stated that they proposed two laterals for each building. Councilperson Polaneczky asked if the laterals would go into a main and asked if they would be dedicated to the Sewer Authority, thereby making the Sewer Authority in charge of the project. Ed Chadrow stated that he's not sure how that portion of it works. BOROUGH ENGINEER SOLARZ explained that there is a dedicated easement for the main line and they are looking for is the feasibility in this letter. Councilperson Polaneczky advised that when they did the Reiniger Tract the Sewer Authority had certain qualifications that were going to be dedicated to them so they may want to make sure if it is going to be dedicated to the Sewer Authority that the Applicant is also making sure it meets the requirements of the Sewer Authority. Kurt Schaffer stated that item 8 deals with the emergency access cross easement. This was also reviewed by Solicitor Meyer and he stated that it was in the form suitable for recording. It will be formally recorded when Borough Council and Solicitor Meyer approve it. Kurt Schaffer explained that under item 9 there was a request for flood plain certification, which is a will comply issue, and the second portion of item 9 is the waiver of the width of the sidewalk, where the plans show a corner of the building actually jutting into the sidewalk. He said that problem with the waiver is that you have to have other ideas that won't work but they thought about offsetting unit B-1 so it does not intrude into the sidewalk therefore they can meet the 5 foot sidewalk width requirement. That request for the waiver will be withdrawn. Item 10 is about the existing portion of the sidewalk near the entrance line. It actually cuts across the corner of SEPTA's property. They have not heard from SEPTA so they are trying to come up with an alternative solution. If they dead end their sidewalk before the SEPTA property and then make a painted or striped crosswalk across the entrance drive to get

people from the opposite side of the access drive onto the property. This way they do not have to deal with SEPTA. Councilperson Acker said he understood their thinking. Item 11 addresses the exact specifications of the proposed outdoor lighting. The conversation has seemed to have focused more on the height of the outdoor fixtures and the suggestion made by the Borough Engineer, which is another will comply issue, is that upon application of building permits the cut sheets for the proposed lighting devices would be submitted to the Code Enforcement office for review. Borough Engineer Solarz added that they have basically addressed everything and Solicitor Meyer has reviewed everything. Councilperson Acker stated that at this point the committee can go ahead with putting this items up for approval on the March Council meeting agenda. Councilperson Acker stated that all of the pending letters should be in place by the Council meeting. Kurt Schaffer asked if the Borough prefers the Escrow Agreements in advance of the meeting on the 24th or if they are expected after the approval to proceed from Council. BOROUGH MANAGER PANTANO stated that it could be conditional and explained that he likes to see them prior to any permits being issued. VICE PRESIDENT ZYGMONT asked if Council would get a copy of the updates prior to the 24th. Kurt Schaffer said yes. No one on Council had any further questions or comments. A resident asked if there was a number on how much open space it was. Borough Engineer Solarz stated that it's approximately 2,000 square feet per dwelling for a multi-family dwelling and there are 17 units in this plan. Another resident asked if there could be crossing lines across York Road by Williams lane. Councilperson Acker stated that this item could be discussed later in the evening. Councilperson Acker then asked Borough Manager Pantano to place this item on the March agenda for approval. Kurt Schaffer thanked everyone for their time.

COUNCILPERSON ACKER asked the resident to explain his position on the **crosswalk** at **Williams** and **York Road**. He suggested making something visible to the motorists who cross there all of the time. Councilperson Acker said years ago there was a police officer there. COUNCILPERSON EHRSAM said it was a part time police officer. Councilperson Acker said he could be wrong but he believes that if we painted a crosswalk there then we are indicating to pedestrians that it is a spot to cross, despite the fact that there is no light there. He added that we don't want people crossing where there are not proper safety precautions in place. SUPERINTENDENT STAUCH stated that it would have to be approved by PennDOT because York Road is a state highway. BOROUGH ENGINEER SOLARZ stated that the roadway York Road is under the jurisdiction of PennDOT and any traffic signals, signs, striping, etc. would have to be approved by PennDOT. He stated that the resident's question is a good one and it comes up often in a lot of municipalities. He stated that the responses have indicated that when you put what is called a mid-block crossing, where there is not a traffic signal, you actually create an unsafe or a more dangerous situation than not having a crossing. Borough Engineer Solarz added that it's been found that pedestrians get a false sense of security. It has been reviewed but it's a safety problem. It's so much of a problem that PennDOT will not allow them to do that type of thing. Councilperson Ehrsam stated that they have it in Doylestown. Borough Engineer Solarz said they have it in Doylestown but not on 611. It is, however, on Main Street up by the courthouse but those pedestrian signs did not have to go through PennDOT. He added that there is a program that PennDOT's issued pedestrian crossing signs but they are typically placed at signalized intersections where there is a traffic signal. There has been a recent newspaper article released that stated that PennDOT has been very frustrated with pedestrian safety. They said, in the article, in Pennsylvania motorists actually aim for these things and it's referred to as a driving sport. Borough Engineer Solarz reiterated that the resident's concerns are well voiced because it's a common concern throughout the Commonwealth of Pennsylvania.

The resident then asked why in this day and age the **fire alarm** still goes off. He added that many people have cell phones and pagers and he wondered if it's something we still really need or if it's something that simply here because we never got rid of it. COUNCILPERSON ACKER stated that this subject was just discussed last month so they are familiar with the answers. COUNCILPERSON EHRSAM stated they are looking into it but the alarm is set off by the county and the individuals would not like to change it. The fire company is going to contact the new person in charge at the county to see the feasibility of having it shut off at a certain time, such as from 10:00 p.m. until 6:00 a.m. COUNCILPERSON POLANECZKY explained that if the resident is looking to make a comment about it

they can contact Tom Sullivan, the Montgomery County Public Safety Committee, through the county or visit the website to make that suggestion. Councilperson Polaneczky stated that he doesn't like to hear it going off at 3:00 a.m. either. Councilperson Acker stated that during the last discussion of this topic, at a public meeting, it was mentioned that not all of the fire volunteers have pagers or cell phones. Councilperson Ehrsam stated that we also have a dual system so if the flood waters were to rise to a dangerous level then the alarm would not signal during that time either.

The resident then asked why Hatboro does not **recycle plastic**. SUPERINTENDENT STAUCH stated that they just looked into this and there is no one in their consortium that recycles plastic due to the fact that there is not revenue in it. It would take an extra truck to pick it up and plastic weighs very little. The resident said Horsham recycles plastic. Superintendent Stauch explained that Horsham has private haulers. COUNCILPERSON ACKER stated that a lot of the plastic is so large that it would truly take up an additional truck, which would then cause the Borough to incur the cost of the truck and the manpower for picking it up. COUNCILPERSON POLANECZKY stated that the only thing that we still make money on is the newspaper. FOREMAN THOMAS stated we make about $10 per ton on newspapers. Councilperson Polaneczky asked if we made money on recycling glass. Foreman Thomas stated that it is $25 per ton for glass and cans and $82 per ton for trash. Councilperson Polaneczky stated we don't make anything for glass. The resident asked why other municipalities are doing it if they don't make or save any money from doing it. Councilperson Ehrsam explained that they have a separate truck that can handle the volume of the plastic. He added that we are currently looking into the different type of equipment that they have and collecting plastic would entail getting additional equipment. Councilperson Polaneczky asked if we had to pay for disposing the plastic. Foreman Thomas said it's commingled. Councilperson Polaneczky asked how much it cost. Foreman Thomas said it is $25 per ton. Councilperson Ehrsam said it lowers the volume of trash. Superintendent Stauch said it does lower the volume of trash however it adds the expense of an additional truck plus the manpower in order to run it. Councilperson Polaneczky said realistically if residents want an update on the development of recycling plastic in Hatboro, they could contact Borough Manager Pantano. Borough Manager Pantano will be able to update the residents as Superintendent Stauch and Assistant Superintendent Thomas look into it. Councilperson Polaneczky stated that they are already looking into whether or not it is cost efficient to segregate the plastics from the regular trash. Bill Tompkins said prior to Abington recycling plastics on their own, if the residents took the plastics to the drop off center. He asked if Hatboro residents have the capability of dropping off plastics if they wanted to. Councilperson Acker said no. Bill Tompkins said the money per ton that would be saved might be worthwhile.

VICE PRESIDENT ZYGMONT asked if we would be applying for the **grant** for the **Loller building**. BOROUGH MANAGER PANTANO said yes and he believed it was discussed the other week. He added that he and Borough Engineer Solarz just discussed it. BOROUGH ENGINEER SOLARZ said it is due by May 1st and they basically have to update the application. COUNCILPERSON POLANECZKY asked how it looks with this new budget that was passed since they cut out a lot of revitalization grants out of them. Borough Engineer Solarz said it is a very fluid situation and at this point they are going to submit it again. Borough Manager Pantano said they might want some local State Representatives to write letters of support to include with the application this time. COUNCILPERSON ACKER stated that we go after every opportunity to apply for grants thereby making the costs less for the Borough. He reiterated by stating we actively pursue any grant that's out there. Borough Engineer Solarz mentioned that we pursue traffic signal grants as well.

Sam Friedman congratulated the Borough of Hatboro for obtaining a $22,000 **grant** from Montgomery County to prepare for revitalization plans. He also thanked Council for their continued financial support of **Main Street, Hatboro** and for their commitment to our vital, downtown community. Sam Friedman asked for permission to ask a third party for money. He is one of the seven people on the task force and at the first task force meeting the consultant indicated that there would be a couple of task force forums for revitalization planning. The first public forum was designed to gather information from the residents, businesses, and commercial property owners and to provide them with the opportunity to

share ideas that they might have for economic development projects for the Borough of Hatboro. The consultant is encouraging the task force to do whatever it takes to notify people who may want to come to the meetings. He added that a public announcement in a newspaper would not necessarily create a crowd. COUNCILPERSON POLANECZKY asked if this revitalization plan would dovetail with the comprehensive plan or if the comprehensive plan was something that came after the revitalization plan. Sam Friedman said it is part of the process for the County to fund the revitalization grant. The comprehensive plan will also be updated. Councilperson Polaneczky asked if this was for the whole Borough or if it was for commercial properties. Sam Friedman said yes. Councilperson Polaneczky asked if this would concern everyone in the Borough. Sam Friedman said that is correct. He explained that Main Street has a list of all the enterprises supporting Main Street, including the library, the churches, the businesses, and the professional offices. He added that there are approximately 250 people on that list and other people in Hatboro who also contribute. He stated that during an informal conversation with First Union Bank's regional office, they stated that they would be interested in posting the money. Sam Friedman then spoke with Borough Manager Pantano and he advised Sam Friedman to bring this issue before Council. BOROUGH MANAGER PANTANO explained that he was concerned, right away, about whether or not any of the other banks would be offended that we did not offer them the same opportunity to do the same thing or to see if they had any objection to us working with First Union. Borough Manager Pantano explained that Sam Friedman reported that he contacted the other banks and none of the other banks had any problems with First Union being a part of this particular mailing. Councilperson Polaneczky stated that we could help the advertising campaign by publicizing it on the website and the cable channel. He added that we might be able to get an article in one or both of the newspapers because he knows there are residents who had concerns about Dr. Armstrong and Commerce Bank. PRESIDENT CLARK stated that they would be able to offer the council chambers if the group meeting would fit within the room. Sam Friedman explained that the churches usually offer a site to meet at which is a little larger than the council chambers. Sam Friedman again asked if he could have the permission from Council to contact First Union Bank to see if they would be willing to underwrite the cost of mailing, other facilities, etc. Councilperson Polaneczky stated that he believes this was more administrative and not something that needed to be voted on. Borough Manager Pantano advised that this was intended to be an informative discussion so Council would know what was going on and have no objections. VICE PRESIDENT ZYGMONT stated that she has no objections. Mickey Glantz asked to please recognize that Hatboro Federal Bank, Willow Grove Bank, and Jefferson Bank have always volunteered their services or anything they can do. He added that this is really something that First Union Bank hasn't done in a long time for the community. Mickey Glantz mentioned that he was surprised when he first heard that First Union offered this and he believes that we should be extremely receptive as it's an opening to help the community. Mickey Glantz reiterated that First Union has not really stepped up to the plate in quite a few years. A resident suggested that the date could be added in the next newsletter.

COUNCILPERSON EHRSAM asked if there were any updates on the **cell tower**. COUNCILPERSON ACKER said no.

COUNCILPERSON POLANECZKY stated that his question is not really zoning but he was wondering if anyone remembered that we started the engineering for the **lights** at some **intersections** and then the County would pay for subsequent intersections. He then asked what the status of the project is especially since Commerce Bank is about ready to do their project. He wondered if that was the best time for us to work on the lights at the intersections. BOROUGH MANAGER PANTANO explained that the design is not just for that intersection, rather it's for the whole project. Councilperson Polaneczky again asked what the status was on it. Borough Manager Pantano said he hasn't heard anything. BOROUGH ENGINEER SOLARZ stated that the County has just about completed the scope of work for an entire countywide project of which Hatboro has five signals involved in the project. He added that once they complete the scope then they'll go out with engineering firms and buy the engineering throughout the whole county of which Hatboro has five signals, which we are getting grant money for. Councilperson Polaneczky asked if we were at their mercy as to when they get it done. Borough Engineer Solarz said yes because they have control of the schedule right now and their next step is to

finalize the scope of work for the engineers. Councilperson Polaneczky said that he knows when we did the lights we dug up the intersection and put conduit underneath so we could run the electricity underneath and it just seems a shame to have Commerce do all of that work and then have to open up that corner again. Borough Engineer Solarz stated that we have that coordinated with the Commerce improvements, which is why we addressed the issue of the radius of the curve. He added that Commerce was very gracious when giving us funds to use towards traffic improvements. Chuck McElroy asked if they have included preemptive controlled traffic signals for emergency vehicles. Borough Engineer Solarz said they have absolutely discussed this topic and all of the intersections will include preemption control for emergency responders. COUNCILPERSON EHRSAM verified that the new intersections would include preemptive controllers. Borough Engineer Solarz confirmed that this was correct. He added that preemptive signal was installed at the new light at Chelsea and Warminster Roads. Borough Engineer Solarz mentioned that the new lights at intersections would be more pedestrian friendly as well.

COUNCILPERSON ACKER stated that he has been very impressed with the way **Commerce Bank** has gone about their demolition/raising/excavation process. He noted that despite the bad weather, they have been very neat, even hosing down the street if necessary. He said you would never know, by looking at York Road, all of the construction that is taking place at the Commerce site. SUPERINTENDENT STAUCH stated that Zoning Officer Heller has been in charge of the maintenance of the project. Councilperson Acker stated that with Zoning Officer Heller requiring them to do this work and Commerce Bank complying with the requests, the project has been flawless. Mickey Glantz stated that Zoning Officer Heller is there everyday checking on everything. He added that Bill Broderick, of Commerce Bank, is in charge of the site and when Mickey Glantz questioned him about laying the stones Mr. Broderick explained that the stones prevent the mud from traveling into the street. He added that Mr. Broderick was very concerned about the cleanliness of the project. VICE PRESIDENT ZYGMONT asked if they have decided on the picture for the site. Councilperson Acker stated that the last he heard, Dave Shannon was looking into an appropriate picture for the back, interior wall of Commerce Bank. COUNCILPERSON POLANECZKY asked resident John Pitrone if he still had pictures on his website. John Pitrone said yes. Councilperson Polaneczky stated that John Pitrone has a ton of pictures so if Dave Shannon couldn't come up with one then we might be able to get one from John Pitrone. Councilperson Polaneczky explained that he was not sure where John Pitrone had the jpegs from. John Pitrone stated that most of them are from the library and they can be found on his historical website.

The meeting of the Zoning, Development, & Historical Preservation Committee was adjourned at 9:23 p.m.

BUDGET & INSURANCE COMMITTEE, Mr. Polaneczky, Chairperson

The meeting of the Budget and Insurance Committee was called to order at 9:24 p.m.

COUNCILPERSON POLANECZKY stated that he had nothing to report at this time.

The meeting of the Budget and Insurance Committee was adjourned at 9:25 p.m.

COMMUNITY RELATIONS COMMITTEE, Mr. Younglove, Chairperson

The meeting of the Community Relations Committee was called to order at 9:26 p.m.

COUNCILPERSON POLANECZKY stated that there was nothing to report at this time.

VICE PRESIDENT ZYGMONT reminded Council to submit any changes to the newsletter to Viki Connolly. Councilperson Polaneczky stated that he's already submitted his information. Bill Tompkins, Spring Avenue, asked if the timing of the newsletter is still set for late March or early April. Vice President Zygmont said yes, as far as she was aware. BOROUGH MANAGER PANTANO said yes. PRESIDENT CLARK stated that he had a number of corrections to submit. Councilperson Polaneczky

explained that he submitted a paragraph today and was told by Viki Connolly that the paragraph would fit into the newsletter.

The meeting of the Community Relations Committee was adjourned at 9:28 p.m.

PUBLIC WORKS & PUBLIC PROPERTIES, Mr. Ehrsam, Chairperson

The meeting of the Public Works & Public Properties Committee was called to order at 9:29 p.m.

COUNCILPERSON EHRSAM stated that he would like to discuss the lease with **First Union Bank**, which dated back to 1955, and one with **CVS** dating back to May 1986. He explained that they are basically leases where we rent or lease the property from First Union and CVS for the use of their parking lot in which we have to maintain. He stated that an example of the maintenance is that we have $20,000 budgeted to repave the First Union parking lot. Councilperson Ehrsam stated that we do have clauses within the lease where we can get out of the leases. First Union Bank requires ninety-day notice prior to February of next year to cancel the lease. Councilperson Ehrsam said he would like to have some input from Council as to their feelings as possible ceasing these leases. He really sees no purpose as to carrying them forward. Councilperson Ehrsam explained that in 1955 the additional parking was necessary. PRESIDENT CLARK explained that he is concerned that we are on the threshold of a revitalization project in Hatboro and the first meeting he attended was a discussion about adding parking. If we were to give up these two large parking areas then he wonders what impact it would have on the revitalization plans. Councilperson Ehrsam said he doesn't see why we are giving them anything because they are not going to turn around and say that no one can park there anymore. President Clark explained that we do not know that and they could make it so the parking was only for their customers. Councilperson Ehrsam said it's already posted like that at CVS. President Clark said he was talking about the bank. Councilperson Ehrsam explained that the bank is broken up into several sections and there are various "No Parking" signs posted throughout the lot. He added that it would be very difficult to identify what we are maintaining. COUNCILPERSON ACKER agreed and said that he was sure he wouldn't be able to identify it on his own either and recommends that we wait, due to the revitalization project, since we have ninety-days before February to cancel. VICE PRESIDENT ZYGMONT asked at what point, during the revitalization process, we would be able to point it out. Councilperson Acker said he's not exactly sure but he feels it might be rather shortsighted to get out of a lease that provides parking. He further stated that once we lose the parking we might not get it back. Councilperson Ehrsam stated that they could cancel on the Borough with ninety-days notice as well. Councilperson Acker said he understood but he didn't want the Borough to cancel at this point in time. Councilperson Polaneczky said he is concerned about the maintenance behind there, however, once we get into the capital maintenance such as blacktop, etc. then it becomes a pretty large expense. In addition, Councilperson Polaneczky believes that it only runs from First Union over to the shed where there is another set of properties. He said from that point on it's a problem with our friend with the satellites who we have had some problems with in the past, etc. He suggested that we do the maintenance but hold off on the capital projects. Councilperson Ehrsam stated it's a very large expense set aside for snow and ice removal. SUPERINTENDENT STAUCH said there is a lot of dumping in the lot as well. Councilperson Polaneczky asked if we owned between the lot and the church. Councilperson Acker said yes. Councilperson Ehrsam said the lease stated that you cannot put a barrier between the lot at CVS and Williams Lane. Councilperson Polaneczky asked if the barrier would affect the emergency vehicles gaining access. Superintendent Stauch explained that it's quite busy in that lot on Friday and Saturday evenings. Councilperson Ehrsam stated that it's a lot of maintenance on behalf of the Borough. Bill Tompkins said it sounds like Main Street already has a contact and he wondered if the Borough could get in touch with their contact. Borough Manager Pantano said we have been dealing with them and the problem is actually Sprint. Bill Tompkins asked if we could take those problems to First Union Bank. Vice President Zygmont asked if this could be addressed at the revitalization committee to see what comes back. President Clark asked Councilperson Ehrsam if that was ok. Councilperson Ehrsam said it was ok as long as it was looked at. President Clark recommended that Councilperson Ehrsam contact Sam Friedman. Councilperson Ehrsam said he would call Sam Friedman, First Union Bank, and CVS.

The meeting of the Public Works and Public Properties committee was adjourned at 9:50 p.m.

EXECUTIVE SESSION
PRESIDENT CLARK announced that there would be a brief executive session regarding labor related issues.

ADJOURNMENT
The meeting of the Committees of Council adjourned at 9:51 p.m.

Respectfully Submitted,

JOSEPH F. PANTANO
Borough Manager

Transcribed by Lynn Hartzell

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, March 24, 2003

PRESENT
President Clark, Vice President Zygmont, Councilpersons Acker, Ehrsam, Polaneczky, Taggart, and Younglove, Mayor Celano, Solicitor Meyer, Chief Gardner, Borough Manager Pantano, and Superintendent Stauch.

CALL TO ORDER
PRESIDENT CLARK called the meeting of the Council of the Borough of Hatboro to order at 7:37 p.m. President Clark asked if everyone would remain standing for a moment of silence to reflect on the events going on in our world. He asked for everyone to keep in mind a commissioner from Willow Grove and School Board Member Bob Casagrand as they serve in the military.

MINUTES
A MOTION was made by COUNCILPERSON POLANECZKY to table the **minutes** of the February 24, 2003 Council meeting being that they just received the revisions. COUNCILPERSON EHRSAM stated that a change not mentioned was regarding his discussion about the **leases** for **CVS** and **First Union Bank**. He then apologized for seeing his comments still in the minutes. Councilperson Polaneczky stated that in the public safety report when discussing the **Police contract**, it stated, "They cleaned up some language in the bereavement leave and pension leave portions of the contract" and he would like to strike the word "leave" in the statement. COUNCILPERSON YOUNGLOVE made a MOTION to approve the minutes of the February 24, 2003 Council meeting as revised. This motion was SECONDED by COUNCILPERSON POLANECZKY and APPROVED by Council unanimously.

PRESIDENT'S REPORT
PRESIDENT CLARK stated that too often Council gets bogged down and he wanted to see the progress Hatboro made last year. President Clark stated that he talked to Borough Manager Pantano about some of the **major accomplishments** for Hatboro in 2002. President Clark stated that a $22,000 **Revitalization grant** was secured through the County for the downtown business district. He mentioned that approvals for **Commerce Bank** development were finalized. Commerce Bank voluntarily contributed $106,000 for traffic lights and roadway upgrades. A **Fire Board** was established to assist the fire department with financial and administrative support.

BOROUGH MANAGER'S REPORT
BOROUGH MANAGER PANTANO reported that the **snow emergency,** which occurred on February 14, 2003 was declared by the Federal Government as a disaster, therefore disaster funds will be available. Borough Manager Pantano explained that we would be getting up to 75% reimbursement for those expenses that were incurred over a 48-hour period, beginning when the snowstorm started. He added that typically the other disaster declarations have included another 23% from the State and that still may occur. The initial estimates completed right after the snowstorm totaled about $17,000 - $18,000 for that two-day period. There are, however, additional costs which may be included in the original estimate. One of the areas significantly affected was the parking lot at Memorial Pool. That's where all of the hauled snow was deposited. The trucks, backhoes, and the salt pretty much ruined the parking lot. This is an item that he and Vice President Zygmont have been talking about including into the funding. COUNCILPERSON POLANECZKY asked if the repairs to the parking lot would have to be made prior to the work with the Sewer Authority. Borough Manager Pantano said yes. Councilperson Polaneczky asked, for clarification, if the parking lot was included in some of the work that the Sewer Authority said they were taking care of. Borough Manager Pantano said

yes. Councilperson Polaneczky asked if we were going to have to pay for it since the Sewer Authority is now not doing their work until September. Borough Manager Pantano said they were not going to do their work until September anyway. He added that the idea was to get that portion done towards the end of the summer so the pool would be closed. The difference now is that we are going to have to at least make temporary repairs necessary to get through the summer pool season. Councilperson Polaneczky asked if the Sewer Authority would still do the part that we contracted for them to do. Borough Manager Pantano said that's what they agreed to do. Councilperson Polaneckzy asked if they agreed to do this since they will use the parking lot as a staging area. Borough Manager Pantano said yes.

BOROUGH MANAGER PANTANO stated that the **CDBG funding project** that we received in **2002** is ready to be awarded. We received three bids last week and the lowest bidder was **Polaris Construction** and they have been reviewed and approved by the County, as the funding project requires. The highest bid was $133,294 and the low bid was $114,354. The bid was right within the range of where we expected to be therefore we are well within the guidelines of County as far as the funding and the match that we had to put up. Borough Manager Pantano added that the only outstanding issue is that the County had to complete their environmental review, which they expect to complete by the end of March or the beginning of April. Borough Manager Pantano added that this is under the Public Works' agenda for approval. He reminded everyone that this project allows the Borough to get $120,000 worth of work done while costing the Borough only $19,000.

BOROUGH MANAGER PANTANO announced that we just received the **CDBG funding project applications** for **2003**. He stated that they have about the same amount of money as they did for 2002. There is a very limited area that is eligible for these funds. He will be working with Superintendent Stauch to come up with recommendations such as more paving, drainage improvements, etc. This application should be submitted by early April.

BOROUGH MANAGER PANTANO reminded everyone that we are applying for the **Keystone Preservation Grant**. We applied last year and were turned down but hopefully this year they will look at us more favorably. The project that was submitted last year was about $130,000 and it was for the renovation of the exterior of the Loller building. The costs are currently being updated and it will probably turn out to be approximately the same price but hopefully this time we will add more detail and more descriptive language to try to get this grant to go through more successfully.

BOROUGH MANAGER PANTANO updated everyone on the **Revitalization Comprehensive Plan**. He stated that they did meet, for the second time, on March 18, 2003 with the task force. The consultant presented all of the work that they did to date, including the mapping of the various areas of the central business district such as the landscaping features, parking conditions, land use inventories. Additionally, there were a few pages presented on assets and restraints regarding other issues in the downtown area such as public image, business development opportunities, funding sources, etc. They did interview some of the task force members as well as some individuals on a one-on-one basis. They provided a list of categories, which were attached to Borough Manager Pantano's report on Friday. He stated that they would be more than happy to take the thoughts, suggestions, and recommendations from Council and incorporate them into their study.

BOROUGH MANAGER PANTANO mentioned the issue of the **First Union** and **CVS parking lots**. VICE PRESIDENT ZYGMONT asked if he had any idea on how long it will take. Borough Manager Pantano said no.

BOROUGH MANAGER PANTANO stated that they are in the process of setting up the **Emergency Management Tabletop Exercises**. He added that he attended this February 26, 2003 as an observer. He stated that we had representatives from the police department, fire company, emergency management, Second Alarmers, and public works. The exercise was a plane crash that hit the south east part of the Garner House. It was a significant size and he wanted to add that he's been involved in emergency management tabletop exercises, projects, studies, etc. and our staff involved did an excellent job. Borough Manager Pantano stated that he was very impressed. He reassured everyone that if there was a disaster in the Borough then they could know that our emergency management staff is ready and prepared to address the issue. VICE PRESIDENT ZYGMONT asked Superintendent Stauch about getting residents involved in the neighborhood and if he would be interested presenting the information at the committee meeting. SUPERINTENDENT STAUCH reported that it has to do with a disaster within certain neighborhoods. This would prepare neighbors for an incident assuming that the emergency management staff could not get there. The neighbors would be prepared with fire extinguishers, radios, first aid equipment to hold them off until the emergency personnel could arrive. It would be strictly on a volunteer basis. After being discussed, it was decided that it would be the most imperative for floods and further information will be forthcoming.

BOROUGH MANAGER PANTANO stated that we did get the **storm sewer MPDS permit update**. It was finalized and submitted by the deadline of March 10th. Since then we found out that there may be some county funding or some state funding through the county through the **Center for Sustainable Communities** in which Temple University will do a 167 (regional storm water planning study). He is looking into this as it might fit into the phase II permitting requirements. As of right now it is not definite but Borough Manager Pantano will keep Council informed. VICE PRESIDENT ZYGMONT asked if that was separate from the other consortium. Borough Manager Pantano said yes, it's the same group doing the hydrological analysis of the Pennypack Creek, which is why this fits right in. Using that reasoning, Temple University believes that it would fit right into the project. Vice President Zygmont asked Borough Engineer Solarz if that is the first step. BOROUGH ENGINEER SOLARZ said yes and explained that it could have the potential to help with the MPDS program.

BOROUGH MANAGER PANTANO announced that he received the first two installments from the State for the **Munn Project**. The installments have been forwarded on to the Munn's. He has another application for three more bills that they just submitted and he will submit the application this week.

BOROUGH MANAGER PANTANO stated that we received the **Liquid Fuels audit** for the years 2000-2001. There were no discrepancies or exceptions found. There were no findings in relation to compliance or internal control. He mentioned that we will not get another audit until 2004 because they do them every two years.

BOROUGH MANAGER PANTANO stated that Council directed us to send a few letters to the State Representative and State Senator for funding for the **sewage treatment plants** and the funding relating to **public libraries**. COUNCILPERSON POLANECZKY asked if there was a response. Borough Manager Pantano said no, we did not get a response. Councilperson Polaneczky then asked if we didn't get a response from either Representative Cornell or Senator Greenleaf. Borough Manager Pantano said no.

BOROUGH MANAGER PANTANO stated that **Delaware Valley Insurance Trust** will be holding a conference at the end of April, in Hershey, and he plans on attending. It's for all of the trustees and it is intended to cover a variety of issues related to municipal's responsibilities as far as insurance litigation, financing, underwriting risks, and long term planning. He added that there is no expense to the Borough.

PRIVILEGE OF THE FLOOR

Harriet Ehrsam, N. Chester Avenue, stated that she is speaking as the representative of the **Union Library**. She read:

> In October, the library contacted you to notify Council that Linda Heebner was resigning as our Borough representative to the Library Board and requested that **Mickey Glantz** be appointed to replace her by November. I received a phone call from Mr. Pantano that Dr. Clark had asked that I be told that it not be put on the agenda by that date but would be taken care of at a further Council meeting. I understand that this evening you have finally interviewed for this position. When the library became a public library, in 1985, an ordinance was drafted that Council would appoint two representatives to the board and to the best of my knowledge it provides no restrictions as to whom may serve. Traditionally, at least in the eleven years I have been the library director, this sitting Council has approved whomever the library board of directors has recommended. Obviously somewhere there is a problem with Mickey Glantz serving in this position because we have been waiting since October for a decision. I am here representing my entire board to ask that Mickey be appointed as borough rep. Serving on this board is a task that should be undertaken by those who truly care about the Union Library of Hatboro, understand it's rich history, and are dedicated to its future. It is a thankless job, with no pay, just the satisfaction of serving to improve the library. Mickey has believed in the library for a long time, he is a shareholder, and was a contributor every year even before serving on the board. He has spoken to our needs at Rotary and has offered his support in all of our endeavors. He has served as a member at large, elected by our shareholders for two years. With his unblemished record of service to the library, whether it be through the Rotary, Chamber of Commerce, Meals on Wheels, he has shown the commitment to the entire community as well as for the Union Library. Even though the ordinance does not specify a job description, I assume that the council, in 1985, was looking to oversee taxpayers money. The library was audited every year by the Borough until a few years ago when it was decided that Council would accept what the State Library requires, which is a financial statement for each year for two years and a complete audit in year three. These are forwarded to you with our budget each year. I don't know if you are actually provided with this information but the Hatboro Library is probably the most fiscally responsible agency in town. For less than $4.00, per resident, we provide complete library service to the community. Ironically enough, our new banner already ordered well before tonight and goes up during National Library week is going to say, "Hatboro's greatest bargain – the Union Library of Hatboro." Most of you are aware of the day to day importance of the library. Mrs. Zygmont, Mr. Polaneczky, and Mr. Ehrsam are shareholders of the library and Mr. Taggart's twin sons are two of my favorite patrons. The Union Library will celebrate its 250th year of service in 2005. It has never been a point of controversy and has never been part of a political decision. Please do not change that position now. We began with a respectful request that Mr. Marshal Glantz be appointed to a three year term on our board of directors for the Union Library of Hatboro.

John Zygmont, S. York Road, stated that he's the other library representative and mentioned that he wanted to confirm everything that Harriet had said. He explained that he doesn't understand what's gone wrong in the process and he wanted to stand here to show support for Mickey.

Linda Heebner, Rorer Avenue, stated that she was the borough rep. who resigned to take on a new position as treasurer. She stated that she also supports Harriet and the rest of the board to nominate Mickey. She explained that of all people, she just held that position and knows what it

requires and she could see Mickey doing a wonderful job with that when representing the Borough of Hatboro.

TREASURER'S REPORT

TREASURER McKEAN reported that as of 02/28/03 the balances invested in the Pennsylvania Local Government Investment Trust (PLGIT) totaled $637,211.76. Interest credited for the month was $417.52. Average yield for February was 1.08%. COUNCILPERSON POLANECZKY asked if there was anything to do to get that rate up at all. Treasurer McKean said he would look into it.

PAYMENT OF BILLS

PRESIDENT CLARK stated that Council has received copies of the bills and manual check list. VICE PRESIDENT ZYGMONT asked Borough Manager Pantano to double check that we are not being assessed a late charge for **PECO** bills. COUNCILPERSON POLANECZKY asked if the Munn settlement for the Munn elevation is the total amount. BOROUGH MANAGER PANTANO said yes. Councilperson Polaneczky asked if we have signed everything that has been negotiated with Solicitor Meyer and if everything was to their liking. Borough Manager Pantano said yes. Councilperson Polaneczky asked if there would be further expenses related to this. Borough Manager Pantano said no and confirmed that when the project is done, the Borough will receive back about $6,000 in administrative fees to cover the expenses. Councilperson Polaneczky asked if we would need anything else, administratively. Borough Manager Pantano said no, if there are any engineering costs or legal costs that the Borough incurs then there is an escrow account set up for the Munn's. They provided us with cash escrow to cover that. He added that the Borough is experiencing no expenses in relation to this. After reviewing the bills and manual check list, COUNCILPERSON POLANECZKY made a MOTION to APPROVE the **bills** and **manual check list**. This motion was SECONDED by COUNCILPERSON YOUNGLOVE and APPROVED by Council unanimously.

MAYOR'S REPORT

MAYOR CELANO stated that he's devastated about the war. He stated that he would like to pray for the loved ones that are overseas fighting for our Country.

SOLICITOR'S REPORT

SOLICITOR MEYER looked at the **flood plain** at the property at **400 North York Road**. They submitted the application to **FEMA** to amend the flood insurance rate. He added that the insurance rate presently precluded the building on it. Borough Engineer Solarz has looked at some of the engineering studies he has received. They have reduced the flood plain area down somewhat and moved it from the north side of the stream to the south side of the stream. He stated that if Council wants to appeal that matter then he would send out a memo in that regard. Solicitor Meyer stated that if they do want to keep the flood plain area as it currently exists and was determined by the Federal Emergency Management Agency and the Army Corp, then they could pass an ordinance to indicate that that's how we should keep it. Solicitor Meyer added that Borough Manager Pantano would probably have more regarding the appeal process. He mentioned that if Council doesn't oppose it and they do approve the change then there would be more building in what had been a flood plain area.

SOLICITOR MEYER drafted a copy for Berkheimer for the taxes. He asked if it was signed yet. BOROUGH MANAGER PANTANO said no.

SOLICITOR MEYER stated that the developer's agreement, the escrow agreement, and the easement agreement for the **Moreland Crossing Townhomes**. He has only a few questions to discuss with Mr. Schaffer. The easement was for a **storm water** matter.

SOLICITOR MEYER stated that he has the two booklets from the attorney representing **Carr & Duff**. He explained that the brief is about 18 pages and the rest is notes, testimony, and all of the exhibits that existed and were included in the Board of Arbitrators two-day hearing about a year ago. Solicitor Meyer will be filing briefs in response to both their petition to confirm an award and our position to vacate contractual arbitration award and appeal.

SOLICITOR MEYER amended the **cell phone ordinance**.

COUNCILPERSON YOUNGLOVE asked if there were timelines for the **flood plain** issue. BOROUGH MANAGER PANTANO stated that he talked to the gentleman from FEMA on Friday and he indicated that there's a notice process that they have to go through right now where they have to advertise in the local paper and then there's an appeal process for about 90 days. He stated that there is that window if there are any appeals or objections to be raised. Borough Manager Pantano said the man from FEMA was going to send out the publication when it goes out so until he sees it he doesn't know exactly what the details are. SOLICITOR MEYER stated that Borough Engineer Solarz reviewed the engineering study and apparently the engineering studies that were done by the engineer can substantiate change from merely a technical point of view. Solicitor Meyer suggested that if Council wants to maintain the flood plain then he wouldn't think the best avenue is fight with the federal government to argue with the engineer's findings. The state and federal government both say that the F.I.R.M. (Federal Insurance Rate Map) is the minimum standard necessary and they recommend and encourage you to bring it to the local level to reduce flooding. Solicitor Meyer stated that if Council is going to lean towards maintaining the flood plain then he would suggest to move along with it right now. He said if Council wants to they could go through the appeals process, although he does not recommend that. COUNCILPERSON ACKER stated that we should move towards the amendment. Solicitor Meyer clarified by saying the zoning code and the flood insurance rate. Councilperson Acker stated that he would like to see it staying right where it is. He asked Borough Manager Pantano to put this item on the agenda for the next zoning committee meeting. Councilperson Acker explained that anyone who has traveled the streets around here locally knows that Miller Meadow, the Munn property, and Jarrett Dodge have been flooded out. He mentioned that their used to be neighborhoods up and down Warminster Road and they are slowly disappearing and between Mill Road and Bonnet Lane, in Upper Moreland, there is a neighborhood that is now completely gone. He reiterated that he would like Council to take a very strong stand regarding this topic. PRESIDENT CLARK verified that all of the homes that have been taken down have all been Upper Moreland homes, not Hatboro homes. Councilperson Acker stated that the most significantly effected properties in Hatboro were the Munn property and the Lapp property. Solicitor Meyer added that all of these homes are downstream. Mickey Glantz, S. York Road, asked Solicitor Meyer what kind of money we are still fighting over with Carr & Duff. Solicitor Meyer said it's about $127,000 plus interest, which was the arbitrator's award. Mr. Glantz asked if Hatboro has ever considered filing suit against DePallo for their lack of interest in the Streetscape Program. Solicitor Meyer stated that Mr. Pantano said that Mr. Glantz is getting into litigation, which is true. This issue has been discussed and determining whether or not to sue is up to Council.

COUNCILPERSON EHRSAM asked about the revisions of the cell phone ordinance. He asked if there was a penalty if someone did not follow the ordinance. He then corrected himself and said the **cell phone resolution**. SOLICITOR MEYER said there is not a penalty. Councilperson Ehrsam asked if it would be more cost effective to just put a sign on the door. Solicitor Meyer explained that that's all that it is – it gives you the authority to put the sign on the door. Councilperson Ehrsam explained that the sign for the door costs about $20 plus the expenses incurred with advertising. Solicitor Meyer explained that he would not advertise the resolution. Councilperson Ehrsam stated that the fees incurred for legal service, through

Solicitor Meyer, would be costly as well. Solicitor Meyer stated that the resolution just puts the information "on the books" much like when the no smoking rule was established. COUNCILPERSON POLANECZKY asked if we would have to take down a sign if it was put up before the resolution was passed. Solicitor Meyer said the sign could be up, however, he believes that the Borough runs more efficiently if the actions that they take are documented in a book. Councilperson Polaneczky verified that there was no penalty if a cell phone went off. Solicitor Meyer stated that according to his understanding there is no penalty. Councilperson Polaneczky suggested that the President, at the beginning of every Council meeting, could ask everyone to turn off their cell phones out of courtesy. Solicitor Meyer stated that the decision to pass the resolution, or not, is completely up to Council.

DEPARTMENT SUPERVISORS' REPORT

CHIEF GARDNER received a request from **Lehman Church** to hold a procession south on York Road on Palm Sunday, April 13, commencing at 10:15 a.m., starting at West Moreland Avenue and culminating at the church. Chief Gardener stated that they have done this in previous years and it has never been a problem. He added that there are no costs incurred because of overtime and there is a minimal disruption to traffic, which is at the most 45 minutes. He recommended that we grant the church permission for this. VICE PRESIDENT ZYGMONT stated that she had no problem with it. Chief Gardner stated that he would proceed with the plans by calling the church.

CHIEF GARDNER and Fire Marshal Stauch sit on the *Safe Schools Committee*. They received a call last week regarding **evacuation procedures** and "**shelter in place**". Chief Gardner stated that there have been a lot of questions from the parents on how the school will handle an emergency crisis if the event occurs. As a result of that, they have scheduled a meeting for April 1st at 7:00 p.m. at Simmons Elementary School. Chief Gardner explained that it's a town meeting that is open to everyone. Chief Gardner and Fire Marshal Stauch will sit on the panel to hopefully answer any questions regarding sheltering procedures or evacuation procedures at the school. Chief Gardner stated that he was impressed with the board that the school has set up to deal with potential situations. They really seem to be on top of things.

CHIEF GARDNER stated that we are in a **heightened state of alert** since the hostilities began in the Middle East. We are currently in the conditioned titled "orange". Chief Gardner and Fire Marshal Stauch have received some calls from concerned residents regarding sheltering and evacuation procedures. He believes that everyone can rest assured that the emergency management plan that has been in effect for a long time is comprehensive. The plan details evacuation. Chief Gardner stated that he is confident that we can handle any situation that is presented to us in the Borough. He has received some calls regarding the concept of "shelter in place". It's a detailed plan and he brought down brochures that are available at Borough Hall and at the police station. Last week Chief Gardner and Fire Marshal Stauch went around to the various daycare facilities and asked if they had any questions about what they should do in the event of an emergency. They provided the daycares with packets and this seemed to go over well with the business directors. He reminded everyone they should not panic and explained that these are situations that we should be prepared for at any time, not just during terroristic threats. Chief Gardner explained that this training and preparation would be useful in a hazardous materials incident with a vehicle or a train. Chief Gardner advised that it makes more sense to stay in your home than to get in your car and drive through a potentially dangerous cloud or chemical to an evacuation center. VICE PRESIDENT ZYGMONT asked if Chief Gardner and Fire Marshal Stauch would talk about this at a committee meeting for the residents to discuss what the evacuation plans might be. Chief Gardner said yes, and there are various situations where the location would change. He mentioned that Fire Marshal Stauch has emergency access to many locations both inside and outside of Hatboro. As a result, where they would want people to go or if they would want people to go, would depend on a lot

of conditions such as wind direction. He clarified that a chemical incident does not mean a terrorist incident, rather it could be a hazardous materials incident, which is much more likely than a criminal releasing a chemical. He reiterated that they are certainly open to the idea of talking to the public about it as it is not a bad idea.

CHIEF GARDNER, Fire Marshal Stauch, and Fire Chief Zollers have been having **weekly meetings** since the last time it went to a code orange. On Thursday afternoons they get together to review any plans, updated information, and the procedure. VICE PRESIDENT ZYGMONT stated that it's been nice to receive memos about what they have been doing. Chief Gardner stated that Fire Marshal Stauch has been doing a lot of the memos. Vice President Zygmont stated that it's been helpful. Chief Gardner added that he attended the regional emergency management meeting in Abington for additional information as well. Chief Gardner stated that this area is well prepared. Vice President Zygmont thanked Chief Gardner for the updates.

CHIEF GARDNER announced that they are planning on starting the **speed check details** again soon, as they did last March. He explained that they try to target speed enforcement on certain areas that they have identified speeding to be a contributing or causative factor in accidents. He reminded everyone to obey the speed limits in town primarily for safety reasons, but also because they are costly. He explained that, due to the costs on the citation, the minimum traffic ticket will cost about $105 and speeding tickets cost quite a bit more.

CHIEF GARDNER and Officer Goold are certified to teach an **Internet-safety training program** and they plan on teaching a class for parents on April 8th at 7:00 p.m. at the Union Library and it's open to any parents that are interested in it. He explained that it's basically Internet-safety for children and this particular level of the program is designed for the parents. COUNCILPERSON POLANECZKY asked if Chief Gardner spoke to Todd Stevens in the District Attorney's office regarding their efforts to catch people that are preying upon young children. Chief Gardner stated that the focus of the program is about this topic. He set up a schedule with Crooked Billet and will set up a time with Pennypack. He is indeed working with Todd Stevens and the Horsham Police Department. Chief Gardner added that it's only about 45 minutes and in the past it has been well received. Councilperson Polaneczky stated that this is admirable as the officers in the past have really obtained the attention of the kids to make them realize what is potentially out there. Chief Gardner stated that they are trying to be proactive and announced that there have been incidents in Montgomery County. Councilperson Polaneczky stated that there were three in Montgomery County in the past few months. Chief Gardner stated that they have been in eastern Montgomery County.

CHIEF GARDNER discussed the **Bulletproof Vest Partnership**, which is a program where they cover about 50% of the costs incurred with bulletproof vests. He applied for it for the new officers to help offset the costs. The funding just became available and he will find out if they were approved in the summer. Chief Gardner explained that it's an electronic transfer of 50% of the funds of the vests that were purchased. He added that we do have $12,000 coming from the State in a few months. He doesn't see any reason why they wouldn't approve the request.

FIRE MARSHAL STAUCH submitted a report, in advance, which is attached. Fire Marshal Stauch stated that included with the packets they handed out, there is information in there about talking to your children about the war. He would encourage anyone to pick one up from the police station or Borough Hall. Fire Marshal Stauch stated that the information came from the County and they get updates everyday about terrorism and homeland security.

SUPERINTENDENT STAUCH submitted a report, in advance, which is attached.

COUNCIL/COMMITTEE REPORTS

Administration – Dr. Clark
PRESIDENT CLARK stated that there are a number of **appointments** to make and he would like to take each one separately.

PRESIDENT CLARK made a MOTION to reappoint **Ron McKnight** to a four-year term with the **Shade Tree Commission**. This motion was SECONDED by COUNCILPERSON POLANECZKY and was APPROVED by Council unanimously.

PRESIDENT CLARK explained that he would take B.J. Howatt and Mickey Glantz in the order of their interviews this evening. President Clark made a MOTION to appoint **B.J. Howatt** to a three-year term on the **Library Board**. This motion was SECONDED by COUNCILPERSON TAGGART. COUNCILPERSON POLANECZKY noted that when we went through the interview, Miss Howatt seemed like a very nice person. He stated that he would like to personally urge her to get involved with the library since she has not been in the past. Councilperson Polaneczky stated that the young lady that President Clark contacted and asked to interview was very nice and has been involved with the swim club and something to do with the Y.M.C.A. and he feels that she does deserve the position if she does want to start to get involved in the community on some board. Councilperson Polaneczky stated that he knows that she only had one resume that she threw together after President Clark asked her to interview. He looked, however, at the list that Council received from Mr. Glantz and he is involved in just about every philanthropic organization in this town. Councilperson Polaneczky noted that Mr. Glantz knew the structure of the library, he is and has been a shareholder before he was on the board, and he has a financial background as well. Councilperson Polaneczky stated that Miss Howatt only has personal financing experience. The library rep. has to watch the $28,000 that we give to the library every year. They have to be the watchdog, which is why we have the CPA John Zygmont right now. Councilperson Polaneczky added that he thinks a businessperson would be good in there right now. He added that Mr. Glantz stated that he was computer literate and he knows from volunteering his time at the library that he runs into Mr. Glantz all of the time and he knows that Mickey would do a great job. Councilperson Polaneczky knows that they have to wait until November for the shareholders meeting to vote on additional board members and he would suggest that Miss Howatt become involved before that time. He mentioned that he knows that a lot of the board representatives were board members originally. Councilperson Polaneczky stated that he thinks Mr. Glantz is the perfect fit for this position and he doesn't know why we would vote for anyone else being that he has the extensive background. He restated that Miss Howatt was very nice and he believes that if she gets involved then she may be good for that position. Councilperson Polaneczky mentioned that he has been a shareholder of the library for a while and he wouldn't even consider himself to be more qualified for this appointment. COUNCILPERSON EHRSAM asked President Clark when he contacted B.J. Howatt. President Clark asked what that had to do with the conversation and reminded him that there was a motion on the floor. Councilperson Ehrsam said he is asking because all of the sudden she appeared and the board has been questioning this appointment since September or November of last year. President Clark said that Councilperson Ehrsam sat on the same board as he did. Councilperson Ehrsam stated that he is asking why President Clark went out and recruited her. President Clark stated that since he has been on Council they have always recruited good people and asked Councilperson Ehrsam why he was recruited. Councilperson Ehrsam stated that we have never recruited a member for the library before. President Clark stated that he disagreed as they have recruited members for boards in the past. Councilperson Polaneczky asked why he just received notice on Friday night that they were going to conduct an interview. He thought President Clark said there would be at least four days for the interviews at the last committee meeting. He stated that he first became aware of this Friday night. Then he explained that his packet came on Saturday

morning but it was dated Friday night. President Clark stated that it was four days from Friday. Councilperson Polaneczky asked President Clark to call Officer Camp and asked when the packet was delivered to the house. President Clark suggested to not be silly about this. Councilperson Polaneczky said let's not because President Clark is being a technocrat about this but explained that he is fine with it if this is how President Clark wants to run Council. Councilperson Polaneczky restated that President Clark promised four days notice at the last meeting but he understands. VICE PRESIDENT ZYGMONT stated that she thinks it's the lack of communication that President Clark was even searching for another candidate. President Clark stated that there was a motion and a second on the floor. With a vote of 4-3, having Vice President Zygmont, Councilperson Polaneczky, and Councilperson Ehrsam voting no, this motion was APPROVED by Council. Vice President Zygmont stated that she would like to make an additional comment and read:

> As our sons and daughters are fighting and dying to give Iraq freedom, I sit here tonight and wonder is it really freedom? A few months ago a citizen came in front of Council to exercise his freedom of speech concerning our towing policy. Four members of Council disagreed with them and I can respect that. Tonight, the same citizen has been interviewed for the Library Board and was not selected by the same four members of Council. If I thought their decision was based on not having the qualifications for this position then I could also respect that. However, a lack of respect for this longtime businessman, due to his opinionated voice, restricts his freedom. This would lead me to conclude that these four members of Council are unwilling to put aside their differences and respect a citizen's right of freedom of speech for the greater good of Hatboro therefore I disagree with the decision.

COUNCILPERSON POLANECZKY made a MOTION to appoint **Dick Meade** to the **Borough Authority**. COUNCILPERSON EHRSAM stated that he would like to apologize, as a Council member, to Mr. Glantz. He also apologized to the Board for the way they were treated. Councilperson Polaneczky stated that he has a motion on the floor for a position that's been open for almost a year. PRESIDENT CLARK said no. Councilperson Ehrsam SECONDED this motion. Councilperson Polaneczky stated that the motion was seconded so it should be discussed. President Clark stated that he did not receive this information in his packet. Councilperson Polaneczky stated that he would, then, discuss it under his committee. Councilperson Ehrsam stated that he thinks Council received it about a year ago. COUNCILPERSON YOUNGLOVE stepped out of the meeting at this time.

Budget & Insurance – Mr. Polaneczky
COUNCILPERSON POLANECZKY stated that he would like to discuss the **Borough Authority** and the appointment of a fifth member. Councilperson Polaneczky made a MOTION to appoint **Dick Meade** to the Borough Authority to fill the fifth slot. This motion was SECONDED by COUNCILPERSON EHRSAM. Councilperson Polaneczky stated that the Borough Authority, which controls almost $5,000,000 in funds, provides money for our capital projects and has been short one member for almost a year. Over a year ago this Council sat and interviewed several individuals, including Mr. Meade and Mr. Mosebach, and they were informed that if a spot opened up then they would be considered for that spot. He mentioned that as of this date, no one has approached them although they have been interviewed, which is to say more than for some of the people that have been reappointed here. Councilperson Polaneczky stated that he has never had the chance to interview them. He noticed that Mr. Robertson, Mr. McKnight, and Mr. Terry's name appeared on a letter that was a bit critical of certain members of Council and he has never been approached by these people but voted unanimously to approve their appointment because people should put their petty differences aside. He added that other people tend to run this Council like the United Nations Security Council and explained that he feels like he's a little bit under the French veto here. Councilperson Polaneczky stated that he

thinks it time for Council to be about the business of Hatboro instead of about the petty business of ourselves. Councilperson Polaneczky stated that Mr. Meade is an engineer with Carroll Engineering and has a background in the things that we do because they administrate our capital projects. He has been interviewed by this Council and was told his resume would be placed. Councilperson Polaneczky stated that we chose another individual – Mr. Mauer. Subsequent to that, we went and appointed Mr. Zygmont and Mrs. Eileen Doorley but we still have Dick Meade, Mr. McElroy, and Allen Mosebach. He mentioned that Mr. McElroy is moving out of Hatboro and Mr. Mosebach already has two jobs with the fire authority and the civil service commission. Councilperson Polaneczky restated that it's important that we get the business of this Borough done. He asked why the vacancies were sitting open for so long and explained that he doesn't understand, unless it's some kind of petty differences that we can't put aside. He then explained that it's a shame that some members of Council who are even being berated by some of the members that were appointed tonight can do that for the betterment of Hatboro while other members of Council are dictatorial. He urged that we appoint Dick Meade immediately so we are operating with five members on that Board. Councilperson Polaneczky called for a vote on Mr. Meade. PRESIDENT CLARK stated that there would be no vote tonight. Councilperson Polaneczky stated that this was his committee. President Clark explained that he sets the agenda.

COUNCILPERSON POLANECZKY stated that we have been able to secure one of the studies that we talked about. He would like to present those but nobody seems to be able to find the other study that was done before most of the current members of Council were here. He stated that it would need to be postponed at this point. He asked if anyone on Council had access to the study. COUNCILPERSON ACKER asked which study he was talking about. Councilperson Polaneczky stated that it was the **R.W. Beck study** and Borough Manager Pantano can't find it, and none of the members of Council who have been elected since 2000 have it. PRESIDENT CLARK stated that he believes he has a copy of the study to share with Councilperson Polaneczky. Councilperson Polaneczky asked President Clark to share it with Borough Manager Pantano.

COUNCILPERSON POLANECZKY stated that work on the **five-year budget** has been discussed with Borough Manager Pantano and we will try to put a projection for five-years out as to where we will get the revenues from. Councilperson Polaneczky stated that this would be discussed at the June committee meeting.

COUNCILPERSON POLANECZKY asked Solicitor Meyer if the **Berkheimer contract** has been finalized. SOLICITOR MEYER stated that it was sent out on the 14th and he doesn't think we have heard anything back. Councilperson Polaneczky asked if we have heard anything about it. Borough Manager Pantano said no but it's basically identical to last years with the updated dates. Councilperson Polaneczky again asked if we heard anything from them. Borough Manager Pantano said no.

COUNCILPERSON TAGGART asked about the studies that were copies by **Minute Man Press** on the March warrant list. He asked if that was the study that Councilperson Polaneczky was looking for. BOROUGH MANAGER PANTANO stated that Minute Man Press did the copies of the **Quad III** and made copies for all of Council. COUNCILPERSON POLANECZKY asked if we paid Minute Man Press for those or if we copied them ourselves. Borough Manager Pantano said we did not copy them ourselves. Councilperson Polaneczky stated that when we get the other study then we should copy it ourselves in the office. Councilperson Taggart stated that it's a huge book with a lot of reports. Councilperson Polaneczky asked if Councilperson Taggart has seen it because he has not. Borough Manager Pantano stated that there are graphs, charts, and maps inside of it and it's copied in color. Councilperson Taggart reiterated that it's a thick book. Councilperson Polaneczky stated that he realized that most studies are

big books. BOROUGH ENGINEER SOLARZ stated that he might also have a copy of the **R.W. Beck study**. Councilperson Polaneczky stated that President Clark has a copy of it. Councilperson Polaneczky asked if Councilperson Taggart had a copy of the R.W. Beck study because he and Councilpersons Zygmont and Ehrsam did not have copies of them and he would like to see them.

Parks, Recreation, & Community Affairs – Mrs. Zygmont
VICE PRESIDENT ZYGMONT stated that she would like a **ruling** from Solicitor Meyer regarding the **motion** and the **second** on the floor and then President Clark refused to honor it. SOLICITOR MEYER stated that historically, as you can see, the Authority member who Councilperson Polaneczky made a motion for, was not on the agenda. He added that you could probably argue that anyone could bring up a motion any time but historically it is discussed at a committee meeting and then it is placed on the Council agenda and then it is voted on. Solicitor Meyer stated that Councilperson Polaneczky's motion was entirely different from what's been traditionally done in the past, but he said that they might have discussed it when Solicitor Meyer was not in attendance. COUNCILPERSON POLANECZKY stated that the issue has been discussed at several meetings. The individual, himself, has not been discussed but he has been interviewed. Vice President Zygmont stated that there is still a motion on the floor. Councilperson Polaneczky stated that he was wondering about that. Solicitor Meyer stated that the other possibility, since President Clark has already ruled it out of order, that they could challenge him on it. He added that since Councilperson Younglove was not here, he's not positive. Solicitor Meyer stated that Councilperson Younglove may have been here when the motion was made. Councilperson Polaneczky stated that he walked out before the motion was made. He was under the impression that if you voted to table it then you could but not that one member of Council can table it. He added that historically there have been items brought up that are not on the agenda and he doesn't understand why we are not serving the public. Solicitor Meyer stated that he would like for Councilperson Younglove to return before voting on it, if that is what they want to do.

VICE PRESIDENT ZYGMONT stated that President Clark skipped the **open records act policy** on the agenda. PRESIDENT CLARK thanked her and made a MOTION to approve the open records act policy. This motion was SECONDED by COUNCILPERSON ACKER and was APPROVED by Council unanimously.

VICE PRESIDENT ZYGMONT stated that she has nothing on her agenda to discuss.

Public Relations – Mr. Younglove
PRESIDENT CLARK stated that Councilperson Younglove stepped out because he was not feeling well.

Public Safety – Mr. Taggart
COUNCILPERSON TAGGART asked for Council to approve a purchase of a **new police vehicle**. CHIEF GARDNER stated that the 1997 Ford Explorer will become unmarked and will be turned over to another department. The actual vehicle going out of service at the police department is a 1997 Crown Victoria with about 85,000 miles on it. COUNCILPERSON POLANECZKY asked which department it would go to. BOROUGH MANAGER PANTANO stated that the worst vehicle he has right now is the **code enforcement vehicle**. Councilperson Polaneczky asked if we were going to add another vehicle. Borough Manager Pantano said no. COUNCILPERSON ACKER asked if the Explorer is in better shape than the code enforcement car. Chief Gardner said yes and the Explorer will serve Code Enforcement Officer Heller, if that's who it's going to, for years. The Explorer has about 68,000 miles on it. CODE ENFORCEMENT OFFICER HELLER stated that that's 200,000 miles less than his current vehicle. VICE PRESIDENT ZYGMONT made a MOTION to table this until the committee

meeting so it can be placed on the committee agenda. Councilperson Taggart explained that he did ask Borough Manager Pantano about it. Borough Manager Pantano stated that this was an approved budgeted item. Vice President Zygmont agreed but if we are going by rules then we should discuss it at a committee meeting. SOLICITOR MEYER stated that the normal way is to talk about it at a committee meeting first and then decide upon Council unless they decide differently. Chief Gardner stated that he doesn't have an objection if that is how Vice President Zygmont wants to do it but they put in for it when the budget was being discussed. Vice President Zygmont said she knew that. Chief Gardner explained that the only problem they may incur is that there was already an $800 price increase from October and he was told that the price was guaranteed until the end of March so he can't promise that the price will stay the same. Chief Gardner added that the dealers get price increases. He doesn't anticipate that it would be a large amount, if any, but just wants to make Council aware. Vice President Zygmont stated that she hates getting something on Saturday morning and not knowing what it is. Chief Gardner stated that he understood her position. Councilperson Polaneczky stated that he personally doesn't feel that he doesn't need to be as technocratic as the majority is, and will vote on it since it was placed on the agenda and it is for the importance of public safety and the police department. He asked how much it would cost if we delayed the purchase. Councilperson Taggart said he did not know. Vice President Zygmont asked where the code enforcement vehicle would go. Borough Manager Pantano stated that he would put an ad in the paper to sell it and then if he doesn't get a response twice then they can do whatever they want with it. COUNCILPERSON EHRSAM asked if we were locked into a price. Chief Gardner said yes because it's a state bid. Borough Manager Pantano explained that the state contracts change when the new bids come over. Councilperson Taggart made a MOTION to approve the purchase of a new police vehicle. This motion was SECONDED by Councilperson Polaneczky and APPROVED by Council unanimously.

COUNCILPERSON TAGGART explained the **revisions** to the **Civil Service rules and regulations**. Councilperson Taggart made a MOTION to approve the Civil Service's recommendation to change **section 204** of the Borough's Civil Service regulations thereby promoting the corporals to the rank of sergeant. COUNCILPERSON POLANECZKY asked if we needed a resolution on this. Councilperson Taggart stated that we only have to approve the Civil Service recommendation. Councilperson Polaneczky asked if it was the one that Mr. Mosebach presented. Councilperson Taggart said yes. This motion was SECONDED by VICE PRESIDENT Zygmont. Councilperson Polaneczky asked if it was reviewed to assure that it is in conjunction with the contract, by the labor attorney. Councilperson Taggart said yes, it was all completed by Joe Rudolf. This motion was APPROVED by Council unanimously.

Public Works & Public Properties – Mr. Ehrsam
COUNCILPERSON EHRSAM read:

> In these difficult times I feel we should be able, in some small way, to show the support of our troops. I would like to suggest that we replace the worn red, white, and blue ribbons, which were placed by public works' employees after September 11th with large yellow ribbons. These ribbons can be purchased from a local florist and hung by public works again. This would show a small token of Hatboro's support to our military.

PRESIDENT CLARK asked which department would purchase the ribbons. Councilperson Ehrsam stated that the Borough would purchase them. Councilperson Ehrsam said that some of the public would donate money towards this. COUNCILPERSON POLANECZKY stated that he would donate $50 towards it. BOROUGH MANAGER PANTANO asked if they knew how much it would cost. Councilperson Ehrsam said no.

COUNCILPERSON EHRSAM made a MOTION to consider the conditional award of **CDBG program paving**. The award is conditioned upon compliance by Montgomery County with the National Environmental policy act and HUD environment review procedures associated with the CDBG funding. This motion was SECONDED by VICE PRESIDENT ZYGMONT and was APPROVED by Council unanimously.

Zoning, Development & Historical Preservation – Mr. Acker
COUNCILPERSON ACKER stated he would like to consider final land development plans for the Braccia property, **Moreland Townhomes**. This has been discussed and actually revised preliminary plans were reviewed in 2002. Since then they have gone through the land development process and now they have only a few minor housekeeping items to take care of. Councilperson Acker made a MOTION to approve the final land development plans of the Moreland Townhomes, subject to meeting the conditions in the Borough Engineer's review letter. Mr. Schaffer stated that he agrees with the Engineer's reports completely and would be happy to apply. This motion was SECONDED by COUNCILPERSON POLANECZKY. Councilperson Polaneczky asked if this was the final approval contingent upon the review letter. Councilperson Acker said yes. VICE PRESIDENT ZYGMONT asked about the driveway on the second page and if the firetruck would fit through. BOROUGH ENGINEER SOLARZ stated that the 16 feet is also possibly 24 feet depending on parking so it's a conservative number. This motion was APPROVED by Council unanimously.

PRIVILEGE OF THE FLOOR
Sam Braccia, Moreland Townhomes, stated that he would be willing to purchase the **yellow ribbons** for the light posts. Council unanimously thanked him for his support.

COUNCILPERSON POLANECZKY stated that he would like to address the open position on the **Borough Authority** that's been open for almost a year because he's not sure when President Clark plans on addressing it. He knows that there are two resumes on file – Mr. Mosebach and Mr. Meade. Councilperson Polaneczky stated that he's not sure of the technicality if it has to go through committee first. PRESIDENT CLARK stated that it could be placed on the committee agenda. VICE PRESIDENT ZYGMONT stated that the Police Civil Service position also should be filled.

VICE PRESIDENT ZYGMONT stated that she will be putting a memo out, even though Chief Gardner has already submitted his results, regarding the **inventory** information being due by mid-April. BOROUGH MANAGER PANTANO stated that he also has the public works' inventory but hasn't had the chance to look through it yet. PRESIDENT CLARK asked if each member of Council would receive a copy of the inventory sheets. Borough Manager Pantano said yes.

COUNCILPERSON ACKER stated that he talked to Councilperson Younglove earlier about channel 22. He explained that in light of the conflict at this time, he feels it might not be a bad idea to acknowledge the members of those people in Hatboro who are **overseas**. Councilperson Acker would like to see a list of people on **channel 22** as a direct connection that we are thinking of them. COUNCILPERSON POLANECZKY suggested a phrase such as, "Please keep these people in your thoughts and prayers." Sue Cornell stated that the citizens could also contact the State Representative's office because they have a special citation for those who are overseas. Councilperson Polaneczky thought that it might be a good idea to mention it in the local papers as well. PRESIDENT CLARK asked Councilperson Acker to thank Councilperson Younglove for that kind thought.

ADJOURNMENT & EXECUTIVE SESSION

PRESIDENT CLARK stated that there would be no executive session tonight. President Clark then adjourned the March Council meeting at 9:10 p.m.

Respectfully Submitted,

JOSEPH F. PANTANO
Borough Manager

Transcribed by Lynn Hartzell

BOROUGH OF HATBORO

PUBLIC WORKS DEPARTMENT

459 OAKDALE AVENUE
HATBORO, PA 19040

PUBLIC WORKS REPORT

Month: FEB, 2003

	Month	Year to Date
Loads of Trash	30	66
Tons of Trash	113.54	451.33
Street Opening Permits	0	1
Street Opening Fees Collected	0	$200
Sidewalk/Curb Permits	0	4
Sidewalk/Curb Permit Fees Collected	0	$110
Large Article Pick-up Stops	18	64
Amount of Large Articles Picked Up	39	122
Newspaper Tonnage	20.39	46.18
Grass/Leaves Tonnage	13.75	13.75
Recycled Glass/Cans Tonnage	8.45	21.30
Tires Recycled and Cost		
Recycles- Refrigerators/Freezers/Microwaves		
Cost of Above		

Remarks:

3-Feb

DIESEL

9-21-D	20.1	16.5	10	15.1	5	4.5	3.7	5	19.1	14.5	12.5	3.4			
11-1-D	23.6														
17-8-D	29.5	37.3	8.8	30.1	0.1	20.6	9.1	16.4	26.6	13.3	9.7				
18-9-D	41.28														
20-12-D															
21-13-D	14.9	13.9	0.7												
26-14-D	27.1	33.6	10.6	34	29.5										
23-15-D	37.3														
24-16-D	21.4	24.5	25	24.4	6.4	13.4	32.4	15.6	27.4	38.7	8.9	21.1	27.7	26.6	
25-17-D															
30-M-D															
43-2-D	30.6	40.1	28.4	29.7	13.6	3.7	23	24.1	12.6	4.1					
44-D	7.4	12.4	22.5	20.6	23.6	19.8	9.6								
TOTALS	253.18	178.3	106	153.9	78.2	62	77.8	61.1	85.7	70.6	31.1	24.5	27.7	26.6	1236.7

GASOLINE

13-3-G	26.3	13.1	7.4	0.9	10.9	7.9	10.8								
14-3A-G	18.8	16.1	12.3	6	8.2	15	10.9	18.6							
15-4-G	28.8	3.6													
16-7-G	20.3														
19-11-G															
27-20-G	7.9	8.8	30.9	10.7											
28-59-G	23.1	22.3	26.6												
29-M-G	27.9	3.3	35.3	18	13	16.7									
42-24-G	18.8														
47-G	20.6	37.8	22.4	40.1	40.8	45.9	33.6	34.3	20.6	32.7	34.9				
48-G	28.9	13.5	36.4	27.6	12.3	33.9	17.6								
49-G	25.6	21.8													
50-G															
TOTALS	247	140.3	171.3	103.3	85.2	119.4	72.9	52.9	20.6	32.7	0	0	0	0	1045.6

GASOLINE	1045.6
$.74 A GALLON	773.74

DIESEL	1236.7
$.66 A GALLON	816.21

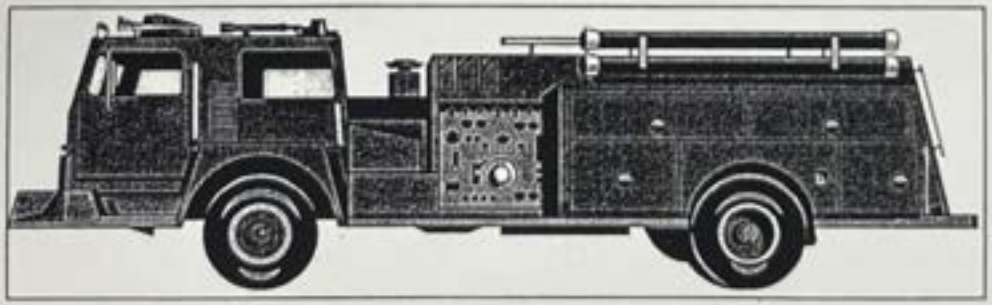
Feb-03

35-D															0
36-D	23.2														
37-D															0
45-D															
TOTAL	23.2	0	0	0	0	0	0	0	0	0	0	0	0	0	23.2

TOTAL DIESEL	28.2
DIESEL @ $3.66 A GALLON	15.31

34-G	27	23.7													
38-G	19.3														
39-G	19	20													
40-G															
46-G	33.4														
TOTAL	98.7	43.7	0	0	0	0	0	0	0	0	0	0	0	0	142.40

TOTAL GAS	142.40
GAS @ $.74 A GALLON	105.38



BOROUGH OF HATBORO

POLICE FUEL USAGE REPORT

3-Feb

37-1	37-2	37-3	37-4	37-5	37-6	37-7	37-8	
0	14.2	8.9	5.09	4.7	17.7	17.9		
		6.2	8	6.1	11.5	13.4		
		3.1	5.7	5.1	6.4	9.3		
			7.1	13.8	14.4	4.6		
			9.1	7.6	5.2	14		
			3.3	6.4	4	4.7		
			8.9	4.1	11.2	17.7		
			4.2	6.6	15.9	7.2		
			5	5.6	7	5.5		
			8.6	8	12.9	3		
			5.6	4	9.8	6.2		
			8.3	8.2	7.4	9.8		
			5.5	9.9	4.9	7.2		
			6.3	6.2	6.7			
			12.6	7.8	7.3			
			6.5	6	4.7			
			3	8	8.9			
			3.3	5.2	4.1			
			13.4	11.4	5.1			
			7.3	7	5.8			
			10.6	2.2	4.1			
			10.9	7.7	6.3			
			7.8	10.8	4.9			
			9.3	4.9				
			6.1	11				
			5.9	7.2				
			4.8	11.1				
			8.3	5.8				
			6.1	5				
			3.8	5.6				
			6	8.6				
			7.2	5				
			2.3	5.8				
			5.3	5.1				
			4	6.9				
			9.1	3.8				
0	14.2	18.2	244.29	248.2	186.2	120.5	0	831.59

Total Gasoline 831.59

at .74 gal = $615.38

_____
sign/initial

GENERAL FUND - Adj - _____ - Police Fuel Usage

Police Fuel	**01.410.250**	**D XXXX**	(charge account)
Maintenance Fuel	**01.437.410**	**C XXX**	(reduce account)

3-Feb

30-G	30.2	6.1	10.2	8	7.3	7.8	13.8	11.2	15.7	15	15.2	10.8	35	5.8	192	
33-G	21	18.7													39.7	231.8
31D	31.7														31.7	
32D															0	31.7

TOTAL DIESEL	31.7
DIESEL @ $ .66 A GALLON	$20.92

TOTAL GASOLINE	231.8
GASOLINE @ $ .74 A GALLON	$171.53

NORTH BOROUGH PARKING LOT MONTH & YEAR 3-Feb
PARKING VIOLATION

DATE	TIME	TICKET NUMBER	LICENCE NUMBER	MAKE & COLOR	WIN	LOST	METER
2/4/2003	13.4		DXH-9094	FORDGREEN			79
2/4/2003	13.4		DXM-3859	VW GRAY			68
2/4/2003	13.4		DHJ-9795	HYUNDAGRAY			NOSPOT
2/6/2003	13.4		FBS-8061	ACURA WHITE			9
2/6/2003	13.4		DFG-1578	TOYOTA			74

YEAR	$115.00
MONTH	5
YEAR	$120.00

BOROUGH OF HATBORO

OFFICE OF THE FIRE MARSHALL

414 SOUTH YORK ROAD
HATBORO, PA 19040

MONTHLY FIRE MARSHALL REPORT

Month of : February 2003

	THIS MONTH	YEAR TO DATE
Inspections	31	55
Re-inspections	0	1
Fire Investigations	2	10
Special Service	3	4
Fire Reports Issued	0	1
Permits Issued	1	2
Permit Fees Collected	$50	$100
Fire Report Fees Collected	0	$25
Inspection Fees Collected	$587	$1,392
Miscellaneous Fees Collected	$100	$250
Total Fees Collected	$737	$1,767

Remarks: $100 fine
U & O Inspections 15 for 20 fees $3,600 for $5,400 Reinspt. 1 for 1

	Invest.	Inspt.	S.S.	Total
Stauch	1.0	4.25	6.30	11.55
Thomas	0.0	.40	2.30	3.15
Sine	.30	3.45	2.30	6.45
Reading	0.0	.35	0.0	.35
TOTALS	1.30	9.25	11.30	22.25

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, April 28, 2003

PRESENT
President Clark, Vice President Zygmont, Councilpersons Acker, Ehrsam, Polaneczky, Taggart, and Younglove, Mayor Celano, Solicitor Meyer, Chief Gardner, and Borough Manager Pantano.

ABSENT
Superintendent Stauch.

CALL TO ORDER
PRESIDENT CLARK called the meeting of the Council of the Borough of Hatboro to order at 7:35 p.m.

MINUTES
PRESIDENT CLARK stated that Council is in receipt of the March Council meeting **minutes**. COUNCILPERSON POLANECZKY stated that the under the Budget and Insurance Committee it should have read *Councilperson Polaneczky stated that he has never had the chance to interview them. He noticed that Mr. Robertson, Mr. McKnight, and Mr. Terry's name appeared on a letter that was a bit critical of certain members of Council and he has never been approached by these people but voted unanimously to approve their appointment because people should put their petty differences aside.* COUNCILPERSON YOUNGLOVE made a MOTION to APPROVE the March 24, 2003 minutes with the revisions per Councilperson Polaneczky. This motion was SECONDED by Councilperson Polaneczky and APPROVED by Council unanimously.

PRESIDENT'S REPORT
PRESIDENT CLARK stated that he has nothing to report.

BOROUGH MANAGER'S REPORT
BOROUGH MANAGER PANTANO stated that the final environmental review that was needed for the **Community Development Block Grant** has been finalized. He received the notice from the County and we awarded the contract. Hopefully they will be ready to start construction by the end of May. That work involves some curbs and sidewalk overlay and the removal of railroad tracks along New Street and Penn Street. VICE PRESIDENT ZYGMONT asked if the residents have been notified. Borough Manager Pantano stated that he planned on notifying the residents who were effected by the sidewalks and curbing but he can go ahead and notify all of the residents.

BOROUGH MANAGER PANTANO mentioned that the 2003 application for the **Community Development Block Grant**. There are two resolutions necessary for this application. Both resolutions have been placed on the agenda for approval. This work is for the repaving and reconstruction of parts of East Moreland Avenue. The second application is for some drainage work around Park Avenue and Lehman Avenue, behind Hatboro Federal Bank. COUNCILPERSON POLANECZKY asked what portion of East Moreland Avenue it was for. Borough Manager Pantano said we wanted to go up to the railroad tracks. Councilperson Polaneczky asked if it would include at least York Road and Penn Street because he has been receiving an earful about that. Borough Manager Pantano agreed and said the worst area is obviously in front of Moreland Towers. Borough Manager Pantano reminded everyone that the work would not be done this year. He said they are trying to get them to do a quick skim coat, which is a very thin layer of asphalt, to hold the road together until regular construction. The quick skim coat might be covered with the remainder of the money from the current Community Development Block Grant. Borough Manager Pantano explained that to do it correctly, it would have to be milled and reconstructed. Vice President Zygmont asked where the drainage work would be. Borough Manager Pantano explained that it basically follows along the existing drainage swale and will improve the efficiency of it.

BOROUGH MANAGER PANTANO reported that they are finalizing the **Borough Hall Historic Preservation Grant**. Last year's application was $130,000, in which 50% is the Borough's required match. The money is put away for this project so it will hopefully be approved. This would be for the work on the exterior of the Loller building. He has support letters from Senator Greenleaf, Main Street, Hatboro, the Rotary Club, and the Millbrook Society. Borough Manager Pantano stated that he has a call into Representative Cornell's office for a letter of support as well. He explained that the application is due by the beginning of May.

BOROUGH MANAGER PANTANO mentioned the **FEMA snow emergency reimbursement**. The application has been completed. The total eligible cost is about $20,000. A portion, however, was deducted from that total for the state roads in which we are reimbursed for. The state roads totaled about $2,300. Borough Manager Pantano stated that he is hopeful that the Borough will receive about 75% of the eligible costs. COUNCILPERSON POLANECZKY asked if it's too late to get in all of the **2003 CDBG grants**. Borough Manager Pantano explained that they are due by May 1st. COUNCILPERSON YOUNGLOVE asked if Borough Manager Pantano distributed copies of the resolution for the snow emergency reimbursement. Borough Manager Pantano explained that he thought he attached them in Council's packets but he realized that he actually didn't. He explained that the resolution authorizing Borough Manager Pantano as the agent to submit the application. COUNCILPERSON EHRSAM stated that it went into the packets on Friday, April 18th. Borough Manager Pantano also clarified that the actual snow emergency period was only over a 48-hour period. As a result, they had to select the highest 48-hour period.

BOROUGH MANAGER PANTANO updated everyone on the **York Road traffic light replacements**. He explained that the project is expected to move forward this year. The Borough will be responsible for 25% of the construction costs. Initially, the Borough is responsible for $40,000 in engineering and design, in which the expenses will be charged to the accounts this year. Borough Manager Pantano explained that after talking to them recently, they expect to have requests for proposals out to engineering companies and hope to award it to an engineering company by June of this year. This was budgeted through the Borough Authority.

BOROUGH MANAGER PANTANO announced that we received $6,800 from the **2001 Recycle Grant**. This is up a little bit from the year 2000. He explained that they are a few years behind of the grants though.

BOROUGH MANAGER PANTANO reported that the CPI figures for February came out therefore he was able to calculate the **District Justice rent**. The rent for the space they use went up by about $2,000 this year.

BOROUGH MANAGER PANTANO announced that the **Pennypack Creek inspection** went well. They did cancel the presentation of the award that day because the person that was supposed to present it was unable to do so. They will reschedule another date to come out to make the award presentation.

BOROUGH MANAGER PANTANO stated that the **Recycle Consortium project** has been going on for several years now. The Borough is a part of the Montgomery County Recycle Consortium. We have been working to secure a site and to build a transfer station. That site was secured in Abington Township on Fitzwatertown Road. The bids were accepted and awarded. The bid, awarded in February, was for $776,000. The Borough's share of that is about $8,000 after the DEP grants, however, we already have about $6,500 credit with them. This should not cost the Borough more than about $1,900.

BOROUGH MANAGER PANTANO noted that the **2003 Road Materials** is up for bid. He stated that he will bring it up at the next committee meeting to make a recommendation to award the bid at the next Council meeting.

BOROUGH MANAGER PANTANO explained that he's been working with the engineers and Solicitor Meyer on the **Sunoco property**, formerly located at **2 South York Road**. Apparently there was some leakage in the tanks a few years ago. They put some wells in and were responsible for monitoring it. They want to come in and put some additional monitoring, including wells on the current property and on some of the Borough's streets. We are requiring them to provide us with an access agreement where they will give money, as escrow, to cover our expenses as well as forcing them to take the responsibility to close out the wells. At present, there is really nothing in place to make them follow the guidelines and the concern is that their consultants change monthly. COUNCILPERSON POLANECZKY asked if they were responsible for any mediation on the property. Borough Manager Pantano said yes. Councilperson Polaneczky asked if the owner was responsible or only Sunoco and he asked if we had a binding contract. Borough Manager Pantano explained that that is what we are trying to get. We want to make sure that the Borough's property is not contaminated and that they are responsible for their work.

BOROUGH MANAGER PANTANO stated that the **Floodplain Ordinance revision** was completed. In order to process it, however, he had to advertise it therefore it will be discussed at the next committee meeting.

BOROUGH MANAGER PANTANO received a call from **Hatboro-Horsham School District** concerning **Earned Income Tax collection**. They asked if he would be willing to sit down with a company called Adsiduus. He did meet with them and he provided Council with the majority of the proposal. If Council would like to have them come in to discuss it at a committee meeting then he will invite them to a future meeting. Borough Manager Pantano stated that Horsham Township was there also and he believes that they are in a multi-year contract.

TREASURER'S REPORT

TREASURER McKEAN reported that as of 03/31/03 the balances invested in the Pennsylvania Local Government Investment Trust (PLGIT) totaled $1,720,014.90. Interest credited for the month was $1,047.17. Average yield for March was 1.14%. COUNCILPERSON POLANECZKY asked if he was able to look into a better way to invest the money. Treasurer McKean said he did but he found there was not a big discrepancy in it. He added that in order to make money you have to save money and he gave the suggestion of advance paying the **Tax Anticipation Note**. He explained that the 17% for the Tax Anticipation Note is the highest he has ever seen it. Councilperson Polaneczky stated that they will have to think of a way to pay the Tax Anticipation Note off. Treasurer McKean agreed that that would be the best solution. Councilperson Polaneczky stated that he would be in touch with Treasurer McKean.

PAYMENT OF BILLS

PRESIDENT CLARK stated that Council has received copies of the **bills** and **manual check list**. COUNCILPERSON YOUNGLOVE made a MOTION to approve the warrant list and manual check list. This motion was SECONDED by COUNCILPERSON POLANECZKY and APPROVED by Council unanimously.

MAYOR'S REPORT

MAYOR CELANO stated that it is an honor to be there with all of the police officers in the audience. He noted that some were from Hatboro and some were from neighboring communities. He welcomed the new officers.

SOLICITOR'S REPORT

SOLICITOR MEYER amended the **easement agreement** for the **Moreland Townhomes Project**.

SOLICITOR MEYER prepared and filed a brief on behalf of the Borough's petition to vacate award and allow appeal from the decision of the arbitrator regarding **Carr & Duff v. Hatboro**. He also prepared and filed a brief on behalf of Hatboro's opposition to Carr & Duff's petition to confirm award.

Carr & Duff has 30 days to file answer from April 4, 2003; then the court may schedule oral argument.

SOLICITOR MEYER drafted amendments to the **Flood Plain ordinance**.

SOLICITOR MEYER prepared legal opinion regarding the potential collapse of the **Sandow building**, located at 53 S. York Road (rear).

SOLICITOR MEYER drafted an **Access & Indemnity Agreement** with **Exxon/Mobil Oil Company** and the **Sunoco Oil Company** regarding monitoring wells. He explained that about 15 years ago they had an oil/gasoline leak into the soil. They are putting in more monitoring wells. The EPA and the State oversee this. They require the owner, the oil company, to mitigate and continue to check. As a result, they want to drill more wells. As Borough Manager Pantano suggested, with this agreement we will have an escrow fund set aside for use if they were to walk away from the problems. COUNCILPERSON POLANECZKY asked if Solicitor Meyer was referring to the Sunoco that sits near Hatboro Federal Bank or if it was the Sunoco where Tom McMackin currently runs a service station. Solicitor Meyer stated that it's the former Sunoco at 2 South York Road where Tom McMackin's building is. Councilperson Polaneczky asked which Mobil Solicitor Meyer was discussing. Solicitor Meyer stated that the Exxon/Mobil is at York and County Line Roads. Councilperson Polaneczky asked if we should look at trying to get all of the oil companies to do this. Solicitor Meyer stated that it has never been determined that there was leakage or spillage from the Exxon at York and County Line Roads. Councilperson Polaneczky asked if the leakage had to be determined first. Solicitor Meyer said yes. Councilperson Polaneczky asked if they would indemnify us to mitigate the leakage of the wells because he knows there are a lot of wells in Hatboro. He also asked if anyone would be held accountable. Solicitor Meyer stated that he doesn't even know how many working wells are left but he thinks there are only one or two. He added that the working wells belong to Philadelphia Suburban. Solicitor Meyer mentioned that there may be one at the pool but beyond that he's not sure about other working wells. He added that it's up to the federal government or the state government to intervene as necessary. Councilperson Polaneczky asked if the engineers stated that it does not pose a threat to our citizens. Solicitor Meyer said it does not impose an immediate threat that the engineers are cognizant of. COUNCILPERSON YOUNGLOVE clarified that part of what they are doing is remediation. Solicitor Meyer said yes. Councilperson Polaneczky clarified that part of this is continued testing to see what the levels are and if they are traveling or spreading. Solicitor Meyer said yes.

SOLICITOR MEYER appeared before District Justice Juanita Price regarding a constituent's request for a response on **flooding**. The constituent withdrew the complaint and it was resolved to the point in which he was satisfied. Borough Manager Pantano will work with the constituent to see if there is any remediation to the flooding problem.

SOLICITOR MEYER stated that the matter regarding **M&M Realty Partners** was send to Council in December for the reduction in the **tax assessment**. Solicitor Meyer stated that Council would need to resolve that one way or the other in the near future.

DEPARTMENT SUPERVISORS' REPORT

CHIEF GARDNER announced that the 7th session of the **Hatboro-Horsham Citizen Police Academy** is scheduled to begin on May 14th and will run through July 23rd on Wednesday evenings from 7:00 p.m. to 9:30 p.m. The program is open to all Hatboro-Horsham citizens over 18 years of age. Citizens could apply at either police department. He formally thanked Lieutenant John Clark (Horsham Police Department) and Corporal Peter VanDolsen; both have been instrumental in running and organizing the program. The program has received a good response from citizens in both Hatboro and Horsham. They seem to really enjoy the program. The program is taught at the Horsham township building. COUNCILPERSON POLANECZKY asked how many slots are available. Lieutenant Clark stated that there are about 25 seats available and about 15 citizens are already signed up. Councilperson Polaneczky asked if it is advertised on channel 22. Chief Gardner

said yes. A resident asked what the program offered. Chief Gardner stated that he has a brochure if anyone was interested but it's basically a program taught by both departments. They cover instructional areas such as patrol functions, traffic enforcement, domestic violence, K-9 and regional tactical team demonstrations, use of force, and drug awareness. He explained that it's basically a quick overview of what police officers do.

FIRE MARSHAL STAUCH submitted a report, in advance, which is attached.

SUPERINTENDENT STAUCH submitted a report, in advance, which is attached.

COUNCIL/COMMITTEE REPORTS

Public Safety – Mr. Taggart
COUNCILPERSON TAGGART made a MOTION to approve the promotion of **Corporal Pete VanDolsen** to the rank of **Sergeant** as certified by the Civil Service commission on April 14, 2003. This motion was SECONDED by COUNCILPERSON YOUNGLOVE and was APPROVED by Council unanimously.

COUNCILPERSON TAGGART made a MOTION to approve the promotion of **Corporal Robert Hegele** to the rank of **Sergeant** as certified by the Civil Service commission on April 14, 2003. This motion was SECONDED by COUNCILPERSON POLANECZKY and was APPROVED by Council unanimously.

COUNCILPERSON TAGGART made a MOTION to approve the promotion of **Corporal John Becker** to the rank of **Sergeant** as certified by the Civil Service commission on April 14, 2003. This motion was SECONDED by COUNCILPERSON ACKER and was APPROVED by Council unanimously.

COUNCILPERSON TAGGART made a MOTION to approve the amendment to the **Civil Service rules and regulations section 305, 602,** and **603**, which were recommended by the Civil Service commission on April 14, 2003. This motion was SECONDED by VICE PRESIDENT ZYGMONT and APPROVED by Council unanimously. COUNCILPERSON POLANECZKY asked if this amendment was to bring them back to where they were before the previous amendment. PRESIDENT CLARK said yes.

COUNCILPERSON TAGGART made a MOTION to approve the hiring of **Andrew Valleley** to the rank of patrolman for the Hatboro Police Department. This motion was SECONDED by COUNCILPERSON YOUNGLOVE and was APPROVED by Council unanimously.

COUNCILPERSON TAGGART made a MOTION to approve **Resolution 03-03** for the **salary reimbursement** for Andrew Valleley while in academy training. This motion was SECONDED by VICE PRESIDENT ZYGMONT and was APPROVED by Council unanimously.

COUNCILPERSON TAGGART made a MOTION to authorize a **Sergeant's Exam** as per the recommendation of the Civil Service commission on April 14, 2003. This motion was SECONDED by COUNCILPERSON YOUNGLOVE and APPROVED by COUNCIL unanimously. PRESIDENT CLARK clarified that this test would be to fill the vacancy provided by Corporal Krzemien leaving the Hatboro Police Department and is not an additional position in the department.

COUNCILPERSON TAGGART thanked the police officers in attendance, and those unable to be in attendance, and explained that he knows that it's been difficult to run the department shorthanded. He mentioned that their dedication and effort has not gone unnoticed and they all greatly appreciated that the officers worked through it and continued to get the job done, despite the circumstances.

Administration – Dr. Clark
PRESIDENT CLARK asked Mayor Celano to swear in Sergeant Hegele, Sergeant VanDolsen, and Sergeant Becker.

CHIEF GARDNER introduced **Officer Mark Reugg**. He stated that he's from Norristown, Pennsylvania and has a degree from the University of Scranton. Patrol Officer Reugg is currently doing very well in the Montgomery County Police Academy and is scheduled to graduate in June. Upon graduation he will be assigned to one of the field training officers and he will hopefully be patrolling the streets by himself by the end of the summer.

CHIEF GARDNER introduced **Officer Tim Grady**. Officer Grady comes to Hatboro from the Philadelphia Police Department. He was a Philadelphia police officer for five years. Officer Grady started in January with one of our field training officers and he did an outstanding job.

CHIEF GARDNER introduced **Andrew Valleley**. Andrew Valleley will begin at Temple University's Police Academy on May 19th. Andrew lives in Hatfield and has quite a bit of college behind him.

CHIEF GARDNER mentioned that with the hiring of these officers it brings the **Hatboro Police Department** back to full staffing. Chief Gardner stated that this is very much appreciated by everyone at the police department and he thanked Council for their diligence in getting this done.

PRESIDENT CLARK asked Mayor Celano to swear in **Officer Grady**, **Officer Reugg**, and **Officer Valleley**.

PRESIDENT CLARK recognized that **former Chief Gallen** and **former Chief Campbell** are both in attendance.

COUNCILPERSON POLANECZKY made a MOTION to approve **Resolution 03-04**, authorizing Borough Manager Pantano to submit **PEMA Snow Emergency Reimbursement Application**. This motion was SECONDED by COUNCILPERSON EHRSAM and was APPROVED by Council unanimously.

Budget & Insurance – Mr. Polaneczky
COUNCILPERSON POLANECZKY stated that he had nothing to discuss at this time.

Parks, Recreation, & Community Affairs – Mrs. Zygmont
VICE PRESIDENT ZYGMONT made a MOTION to approve the **summer sidewalk sale** and the use of **Miller Meadow** for the **Pet Rescue Fair**. This motion was SECONDED by COUNCILPERSON YOUNGLOVE and was APPROVED unanimously. Vice President Zygmont stated that the event would be held on Friday, July 11th and Saturday, July 12th. COUNCILPERSON POLANECZKY asked if we could remind the Chamber of Commerce to clean up after the pets.

VICE PRESIDENT ZYGMONT made a MOTION to approve **waiving the fee** for the use of **Miller** Meadow for the **Pet Rescue** Fair. This motion was SECONDED by COUNCILPERSON POLANECZKY. With a vote of 6-1, having COUNCILPERSON TAGGART vote no, this motion was APPROVED.

VICE PRESIDENT ZYGMONT made a MOTION to approve the **Bids and Bites** event, scheduled on Sunday June 1st. This motion was SECONDED by COUNCILPERSON YOUNGLOVE and was APPROVED by Council unanimously.

VICE PRESIDENT ZYGMONT stated that she would like Council to send something to **Commissioner Jim Matthew** due to his son passing away last week. Council was in agreement with this decision.

Public Relations – Mr. Younglove
COUNCILPERSON YOUNGLOVE stated that he has nothing to discuss at this time.

COUNCILPERSON POLANECZKY mentioned the previous request of Councilperson Younglove regarding the **R-2 train line**. Councilperson Polaneczky stated that he has been talking to a lot of citizens lately and they are really upset that this would happen. Councilperson Polaneczky asked if we sent letters to the Governor. BOROUGH MANAGER PANTANO reported that he drafted letters, in the past few days, but has not yet sent them out. He plans to send them to Senator Greenleaf and State Representative Cornell. Councilperson Polaneczky asked if we should send the letters to SEPTA board members. He added that he knows there is a petition circulating because he signed it since he rides the train once and while. Borough Manager Pantano will also contact the other managers who would be impacted by this situation to make sure they are also sending out letters. Sometimes a joint effort has more of an effect.

Public Works & Public Properties – Mr. Ehrsam
COUNCILPERSON EHRSAM made a MOTION to approve **Resolution 03-02** authorizing the submittal of the **2003 CDBG Grant Application**. This motion was SECONDED by COUNCILPERSON YOUNGLOVE and was APPROVED by Council unanimously.

COUNCILPERSON EHRSAM made a MOTION to approve **Resolution 03-01** authorizing the submittal of the **2003 CDBG Grant Application**. This motion was SECONDED by COUNCILPERSON POLANECZKY and was APPROVED by Council unanimously.

COUNCILPERSON POLANECZKY stated that he already asked about if it was too late to submit the information for another project for this year and he asked how soon you would have to submit on another project. He explained that he's been talking to a lot of citizens and there seems to be a bad **drainage problem** on **Wood Street** behind Moreland Avenue. BOROUGH MANAGER PANTANO stated that he spoke with Superintendent Stauch about this topic today but he hasn't had the chance to look at it. Councilperson Polaneczky stated that the residents are concerned about the 5 feet of water in their basements and their fears every time it rains, as well as concerns about an elevated storm drain. Councilperson Polaneczky stated that he would like to look into getting moving on a grant application for this to assist the residents. Borough Manager Pantano stated that they could also look to see if there is other funding available. This application is due May 1st. VICE PRESIDENT ZYGMONT asked if it might fall under the DCED Grant. Borough Manager Pantano said he wasn't sure but he did talk to Borough Engineer Solarz today and they are going to see what other funding might be available for drainage types of activities. Councilperson Polaneczky stated that some of the residents have septic tanks caving in and have 5 feet of water in their basements.

Zoning, Development & Historical Preservation – Mr. Acker
COUNCILPERSON ACKER stated that he has nothing to discuss at this time.

PRIVILEGE OF THE FLOOR
Bruce Hart, 175 Earl Lane, stated that he's been to a lot of Council meetings and the **fee for Miller Meadow** is always waived. He asked why we have the fee if we are going to waive it and suggested making the fee more reasonable so the people using the grounds will just pay. He added that $500 is not a lot of money but it is when we continue waiving the fees. VICE PRESIDENT ZYGMONT asked if Councilperson Acker would explain since she was not on Council when this fee was adopted. COUNCILPERSON ACKER stated that people that were using Miller Meadow as a money making opportunity would be assessed a fee to use it. For the most part we do not have to do much for the people using Miller Meadow. COUNCILPERSON POLANECZKY stated that we instituted a policy so we would be reimbursed for incurred costs. He explained that we would be reimbursed for the overtime and regular time for the police department and the public works department for the use of Miller Meadow for the circus. He added that we would also be reimbursed for the use of the fire police. The fee was designed for above and beyond the reimbursement for costs. Councilperson Polaneczky stated that they tend to waive it for the Rotary because it is a non-profit organization and

a lot of the money they make goes to organizations that we used to contribute to like the library and the Hatboro Little League. Councilperson Polaneczky stated that we were able to cut back on our contributions as a result. He explained that if someone was to come into town that wanted to use the space for pure profit, if it was even approved, then they are all in agreement that those fees would not be waived. Vice President Zygmont stated that this is the first full year where there are forms to complete for the use of the public works department, police department, and fire police. The responsibilities are clearly outlined. Mr. Hart again explained his suggestion of just dropping the fee altogether. COUNCILPERSON YOUNGLOVE stated that it's conceivable that a person would come in with a money making proposition and if this fee was not on the books then we couldn't charge them for the use of Miller Meadow. He explained that it's better to have it on the books and then waive it than to not have it. Mr. Hart stated that no one has ever had to pay. Councilperson Younglove stated that it's possible that someone could. Councilperson Acker stated that if the circus did not reimburse the Borough then they might be inclined to not waive the fees but since they pay for the expenses it's not a problem. He added that the Sidewalk Sale and the Pet Rescue Fair both benefit the community.

PATSY MECK, Earl Lane, suggested writing to Arlen Spector as well in regards to the **R-2 train line**. She added that people are quick to say they can just go to the Jenkintown train station but there is no parking there to accommodate all of the extra vehicles. COUNCILPERSON POLANECZKY stated that we should include Joe Hoeffel, Rick Santorum, and Arlen Spector. Councilperson Polaneczky stated that it would affect 7,000 round trips a day. PRESIDENT CLARK stated that one of the privileges of Hatboro is the excellent train services provided. He stated that it's hard to understand why they would do this to such a viable community.

A resident asked about **recycling center** and if it included recycling **plastics**. BOROUGH MANAGER PANTANO explained that it's the existing group that we have been working with for a number of years. The collection in the Borough will not be changed. The only way it will help us is that we will not have to drive as far to dump the recycled materials. We will now be able to dump it at this transfer station, which would save us time and transportation charges. The resident asked if we have ever revisited the issue of recycling plastic. She stated that we are filling up our landfills at an incredible rate and she doesn't know that anyone has ever thought of how much plastic we each use in a week's time. Borough Manager Pantano explained that the current problem we have with plastics is that we don't have the capability of picking up that much volume. Plastic is very bulky and it costs to get rid of, since no one wants it, therefore you can't make money off of recycling plastic anymore. The resident explained that his statements are not really true as they are making great strides. Borough Manager Pantano stated that he is sure they are making great strides and they are also still charging you to get rid of it. He added that the only thing that we make money off of right now is paper. The resident explained that we are still creating the problem because we are filling up our landfills more quickly because we are not recycling our plastic. COUNCILPERSON TAGGART explained that our trash doesn't go to a landfill, rather it goes to a trash-to-steam plant. The resident stated that you couldn't steam plastic. COUNCILPERSON POLANECZKY stated that they burn the plastic at a high temperature. COUNCILPERSON EHRSAM stated that plastic is the cheapest to dispose of at $18 per ton but the biggest problem is the bulk of them. We do not have the vehicles to pick it up like Abington does. Their trucks crush the plastics to make it more manageable. Councilperson Ehrsam stated that he's been working with Superintendent Stauch about this. She then asked why they **clean the streets** before they pick up the trash. She said that we make the streets nice and clean for the trash trucks to come down and leave trash all over the streets. She stated that it's basically a waste of money to have them work in that order. Councilperson Acker stated that they start early in the morning so they can complete the center of town before the heavy traffic. The resident explained that she understands that but she doesn't see why it's done before the trash is collected. Councilperson Polaneczky stated that they could suggest to Superintendent Stauch to change the schedule around to maybe clean them the morning after trash collection. Councilperson Acker stated that his biggest concern is about how much trash we are leaving on the streets. He stated that he does not personally see it on his street. The resident explained that she lives on East Moreland Avenue and invited Councilperson Acker to come and visit after trash pick

up. She explained that the trash was on her lawn. There were paper cups and newspapers. Councilperson Younglove stated that it was very windy last week. The resident told him to pick a week and come out and visit the street. He explained that he lives on West Moreland and he does not see the trash she is talking about. Councilperson Polaneczky stated that it is no fault of the men picking up the trash but sometimes when they squeeze the trash the water comes out. The resident explained that we should just use common sense and have the street sweepers come out after the trash trucks come out. PRESIDENT CLARK explained that Councilperson Ehrsam is chairman of that department and he will review the schedule.

ADJOURNMENT & EXECUTIVE SESSION

PRESIDENT CLARK stated that there would be an executive session tonight to discuss **personnel issues**. President Clark then adjourned the April Council meeting at 8:57 p.m.

Respectfully Submitted,

JOSEPH F. PANTANO
Borough Manager

Transcribed by Lynn Hartzell

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, May 19, 2003

PRESENT
President Clark, Vice President Zygmont, Councilpersons Acker, Ehrsam, Polaneczky, and Younglove, Mayor Celano, Solicitor Meyer, Chief Gardner, Superintendent Stauch, and Borough Manager Pantano.

ABSENT
Councilperson Taggart.

CALL TO ORDER
PRESIDENT CLARK called the meeting of the Council of the Borough of Hatboro to order at 7:33 p.m.

MINUTES
PRESIDENT CLARK stated that Council is in receipt of the April Council meeting **minutes**. VICE PRESIDENT ZYGMONT stated that the motion on page 6, under Parks & Recreation and Community Affairs, was made by Vice President Zygmont rather than Councilperson Polaneczky. She then requested to table the minutes since the photocopies of page 8 were not clear. COUNCILPERSON EHRSAM stated that his was unclear also. PRESIDENT CLARK asked Solicitor Meyer if tabling the minutes required a motion. SOLICITOR MEYER said no.

PRESIDENT'S REPORT
PRESIDENT CLARK stated that they are continuing to monitor the situation with **SEPTA**. They have been in contact with the legislatures and the general manager of SEPTA regarding their desire to remove the **R-2 rail service**, explaining that we are not in favor of removing the service.

BOROUGH MANAGER'S REPORT
BOROUGH MANAGER PANTANO reported that we did completely submit the **Community Development Block Grant** for this year. He previously reviewed this at the committee meeting.

BOROUGH MANAGER PANTANO stated that the **Pennsylvania Historic Preservation Grant** for the repair of the exterior of the Loller Building. The grant was due by May 1st and it was completed in time. That grant is in the amount of $130,000 and it was for the complete repair for the exterior of this building. Borough Manager Pantano explained that we probably wouldn't hear about this grant until late this year.

BOROUGH MANAGER PANTANO stated that, as President Clark mentioned, we have contacted a number of people (State Representative Cornell, Senator Greenleaf, Chairman of the Board of SEPTA, General Manager for SEPTA) to express our concerns regarding the removal of the **R-2 rail service**. Borough Manager Pantano announced that we did receive response from Senator Greenleaf, which was attached to his report. He stated that at this point and time we have to wait and see what transpires.

BOROUGH MANAGER PANTANO updated everyone on the **Munn project**. He stated that he received the third and final payment and he is in the process of confirming that the elevations are proper and that all of the work is in accordance with our local building requirements. Providing that is the case, Borough Manager Pantano will release the final payment to them. Borough Manager Pantano explained that we can then turn around and submit for our administrative costs portion of the grant, which is approximately $6,500. COUNCILPERSON POLANECZKY asked if it was the $32,000 payment. Borough Manager Pantano said yes. Councilperson Polaneczky asked if we were approving that subject to the review. Borough Manager Pantano explained that technically, according to the agreement that we signed with the Munn's, the money was supposed to be given directly to them as soon as he gets it. He added that Council has already approved it but he wants

to make sure that he is satisfied that everything is taken care of. Councilperson Polaneczky asked if it should be approved subject to Borough Manager Pantano reviewing it. Borough Manager Pantano said that is correct.

BOROUGH MANAGER PANTANO mentioned the **road materials bids**, which were previously discussed at the committee meeting. This item is on the agenda for award.

BOROUGH MANAGER PANTANO went to a meeting regarding the **Revitalization Comprehensive Plan Update** on April 15th. He attached some of the information and questionnaires to his report for Council's reference. The questionnaires were samples of some of those that are already out in the community. He stated that they are summarized now and he has that information. He will be transmitting the information to Council as he receives it. The next meeting is scheduled for May 21st. VICE PRESIDENT ZYGMONT asked about Borough Manager Pantano's comment about sending the surveys to the residents. She asked if all of the residents were in receipt of this information. Borough Manager Pantano said no and he doesn't think they sent any directly to the residents rather they were distributed through the stores because they wanted to give them to people that were actually interested in filling them out. He was under the understanding that percentage wise we got a pretty good response from the business and the community. He believes there were about 180 or 190 responses. He restated that he would transmit all of the summaries to Council. Borough Manager Pantano announced that there is a public presentation meeting set for May 29th and it will be held at The Church of the Advent at 7:30 p.m. Anyone interested in attending this informative session for the public is invited to attend. They are trying to get everyone to understand what they are doing and are looking for feedback as well.

BOROUGH MANAGER PANTANO stated that we are putting the idea of a **Historic Preservation Overlay Ordinance** on the agenda for next month. This was discussed at the committee meeting when the Borough Historian made a brief presentation. Borough Manager Pantano added that not all of Council was present at the time so he tried to get the information out to those that may have been absent. They will have to see how the conversation plays out at the June committee meeting. If anyone wants information before then, you can contact Borough Manager Pantano.

BOROUGH MANAGER PANTANO reminded everyone that the **cell phone notice** has been posted and hopefully everyone will honor the request.

BOROUGH MANAGER PANTANO mentioned that the award from the **Army Corp of Engineers** was supposed to occur tomorrow but due to the rain on Friday, the person that was slated to present it had to reschedule his Friday appointments to tomorrow so he will not be able to be in Hatboro. It was again postponed and he does not yet have a date set as to when they are going to come out again.

TREASURER'S REPORT

TREASURER McKEAN reported that as of 04/30/03 the balances invested in the Pennsylvania Local Government Investment Trust (PLGIT) totaled $2,336,935.60. Interest credited for the month was $1,942.27. Average yield for April was 1.05%.

PAYMENT OF BILLS

PRESIDENT CLARK stated that Council has received copies of the **bills** and **manual check list**. COUNCILPERSON YOUNGLOVE asked about the disbursement made, on the first page, to **Carr & Duff**. CHIEF GARDNER explained that he spoke with the Bookkeeper about that **equipment reimbursement** which was supposed to be changed to **Officer John Carr**. Councilperson Younglove made a MOTION to approve the warrant list and manual check list. This motion was SECONDED by COUNCILPERSON POLANECZKY and APPROVED by Council unanimously.

MAYOR'S REPORT
MAYOR CELANO stated is so excited about tomorrow being **Election Day** because he will have the opportunity to meet and talk to the residents. He added that he can't wait until tomorrow night to see what's happening and to see Hatboro moving ahead.

SOLICITOR'S REPORT
SOLICITOR MEYER received and reviewed a Brief by **Carr & Duff** to the Borough's Motion to Permit Appeal. He is currently waiting for the date for the oral argument.

SOLICITOR MEYER prepared amendments to the **Flood Plain Ordinance**.

SOLICITOR MEYER spent last Friday and Saturday in a **Municipal Law Colloquium**. It won't cost the taxpayers any money and it will hopefully benefit the town. He attended a number of seminars on personal land use ordinances, property maintenance codes, converting municipal claims into dollars, Pennsylvania Construction Code Act, Sunshine Act and the right to know, land use practice, zoning, strategies and procedures for administrating a zoning hearing, etc. He will devise a written report when he gets a chance. He reported that all of the municipal solicitors throughout the state were there and he feels the Borough of Hatboro is doing very well.

DEPARTMENT SUPERVISORS' REPORT
CHIEF GARDNER received a call from a representative of the **Sewer Authority**. They wanted to make everyone aware that for the next several weeks there may be crews working in the area of the **interceptor project**, which would be through Memorial Park and down through Spring Avenue. The crews may at times be working in backyards - marking trees for removal and locating the centerline of the sewer pipe. He wanted to advise everyone in case they see someone in their backyard. He added that residents should feel free to still call the police if you are concerned about someone in the area.

FIRE MARSHAL STAUCH submitted a report, in advance, which is attached.

SUPERINTENDENT STAUCH submitted a report, in advance, which is attached.

COUNCIL/COMMITTEE REPORTS
Administration – Dr. Clark
PRESIDENT CLARK announced that **Commerce Bank** has made a donation of **$1,250** to several organizations, at the discretion of Borough Council. Council has elected to go with Boy Scouts, Meals on Wheels, the Little League, the Millbrook Society, and the library. He thanked everyone at Commerce Bank.

Budget & Insurance – Mr. Polaneczky
COUNCILPERSON POLANECZKY stated that he had nothing to discuss at this time.

Parks, Recreation, & Community Affairs – Mrs. Zygmont
VICE PRESIDENT ZYGMONT made a MOTION to consider approval of the **Moonlight Memories Car Show** on July 27, 2003. This motion was SECONDED by COUNCILPERSON POLANECZKY and APPROVED by Council unanimously.

Public Relations – Mr. Younglove
COUNCILPERSON YOUNGLOVE stated that he had nothing to report at this time.

Public Safety – Mr. Taggart
PRESIDENT CLARK stated that Councilperson Taggart had nothing to discuss on the agenda.

Public Works & Public Properties – Mr. Ehrsam
COUNCILPERSON EHRSAM made a MOTION to consider the award of the **2003 paving materials** to **Eureka Stone Quarry** in the amount of $5,087.50. This motion was SECONDED by COUNCILPERSON YOUNGLOVE and was APPROVED by Council unanimously.

Zoning, Development & Historical Preservation – Mr. Acker
COUNCILPERSON ACKER made a MOTION to approve **Flood Plain Ordinance #945**. He mentioned that this was discussed at the last committee meeting. There were a few grammatical changes, they amended section 501.6, and they added section 505 regarding emergency work and regular maintenance work on the sewer lines. This motion was SECONDED by COUNCILPERSON YOUNGLOVE and was APPROVED by Council unanimously.

COUNCILPERSON ACKER stated that it's nice to see **Mayor Celano** and **Solicitor Meyer** as they were both briefly hospitalized. Both Mayor Celano and Solicitor Meyer thanked him for his kind words and thoughts.

PRIVILEGE OF THE FLOOR
BOROUGH MANAGER PANTANO advised Council that it was brought to his attention that the **Moonlight Memories Car Show** is taking place on Saturday, July 26th and not on July 27th as was preciously mentioned. VICE PRESIDENT ZYGMONT said that's how it was on the agenda and thanked him for clarifying.

ADJOURNMENT & EXECUTIVE SESSION
PRESIDENT CLARK stated that there would be an executive session tonight to discuss a **legal matter**. President Clark then adjourned the May Council meeting at 7:52 p.m.

Respectfully Submitted,

JOSEPH F. PANTANO
Borough Manager

Transcribed by Lynn Hartzell

BOROUGH OF HATBORO

PUBLIC WORKS DEPARTMENT

459 OAKDALE AVENUE
HATBORO, PA 19040

PUBLIC WORKS REPORT

Month: APRIL, 2003

	Month	Year to Date
Loads of Trash	43	147
Tons of Trash	295.87	1,023.34
Street Opening Permits	2	5
Street Opening Fees Collected	$70.00	$797.47
Sidewalk/Curb Permits	3	7
Sidewalk/Curb Permit Fees Collected	$170	$280
Large Article Pick-up Stops	107	196
Amount of Large Articles Picked Up	231	402
Newspaper Tonnage	22.77	96.46
Grass/Leaves Tonnage	42.88	79.55
Recycled Glass/Cans Tonnage	13.93	49.35
Tires Recycled and Cost		
Recycles-Refrigerators/Freezers/Microwaves		
Cost of Above		

Remarks:

3-Apr

DIESEL

9-21-D	27.3	23.7	2.7	24.4	21.6	20.4	19.4	17.4	17.4	27.2	23.6	15.7	15.2		
11-1-D	19.3	22													
17-8-D	38.8														
18-9-D	27	38.2	40.3	27.3	35.8										
20-12-D															
21-13-D	4.5	29.3	26.2												
26-14-D															
23-15-D	24.1	30													
24-16-D	23.5	29.1	11.8	24.1	19.4	24.2	29.8	12.9	27.5	22.5	21.5	25.9			
25-17-D	0.7	4.3													
30-M-D															
43-2-D															
44-D	22.4														
TOTALS	187.6	176.6	81	75.8	76.8	44.6	49.2	30.3	44.9	49.7	45.1	41.6	15.2	0	918.4

GASOLINE

13-3-G	30.7	28.6													
14-3A-G															
15-4-G	14.3	39.4	12												
16-7-G	20.5	21.5													
19-11-G	11.6	10.8													
27-20-G	2.8	10.2	11.4	13.2	12										
28-59-G	27	26.1													
29-M-G	3	26.3	5	0.7	2.3	3.7	22.2								
42-24-G	17.3	17.1													
47-G															
48-G	34.1														
49-G															
50-G															
TOTALS	161.3	180	28.4	13.9	14.3	3.7	22.2	0	0	0	0	0	0	0	423.8

GASOLINE	423.8
$1.05 A GALLON	444.99

DIESEL	918.4
$.91 A GALLON	835.74

BOROUGH OF HATBORO

POLICE FUEL USAGE REPORT

3-Apr

37-1	37-2	37-3	37-4	37-5	37-6	37-7	37-8	
0	13.3		5.7	4.9	17.1	4.5		
			5.3	9.3	18.1	4.7		
			10.5	7.2	5.7	10.3		
			6.9	7.6	6.9	7.1		
			5.9	8	8.1	6.5		
			9	11.9	6.6	10.2		
			3	6.7	6.2	4.6		
			5.2	3.1	12.3	5.6		
			8.8	6.5	8.2	8.2		
			3	8.5	5.4	10.1		
			12.2	7.6	7.4	9.8		
			10.5	4.1	5.9	6.5		
			6	10.7	6.4	2.4		
			9.2	7.7	6.2	8.4		
			4.8	10	9.1	8.9		
			6.5	10	4.1	5.5		
			9.5	11.5	10.6	4		
			5.4	4.6	7.1	13.8		
			2.7	7.7	5.2	5.2		
			6.8	5.8	6.2	4.1		
			12.1	6.7	3.9	6.8		
			4.9	11.7	7.6	7.3		
			10.7	6.4	6.1	4.6		
			7.5	6.6	11	5.7		
			6.1	12.6	10.3	6.5		
			4.4	3.6	7.3	8.3		
			7.7	4	15.1			
			5.2	3	5.6			
			6	4.6	5.6			
			11	3.1	2.8			
			4.4	4.9	5			
			7	3.9				
			7.9	3.1				
			6.6	9.4				
			5	4.5				
			6.6	8.7				
0	13.3	0	250	250.2	243.1	179.6	0	936.2

Total Gasoline 936.2

at 1.05 gal = $983.01

_____
sign/initial

GENERAL FUND - Adj - _____ - Police Fuel Usage

Police Fuel	**01.410.250**	**D XXXX**	(charge account)
Maintenance Fuel	**01.437.410**	**C XXX**	(reduce account)

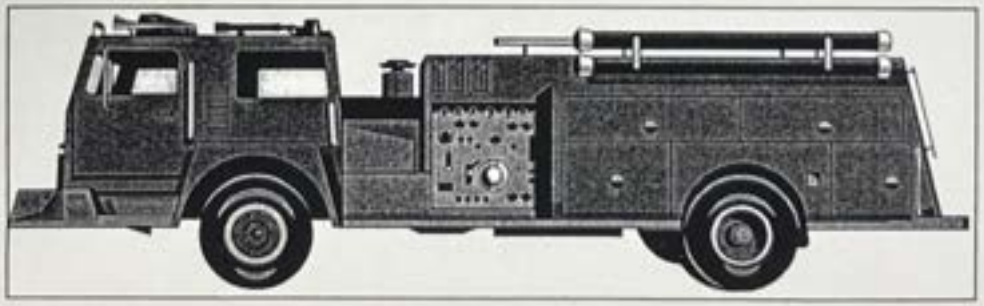
3-Apr

35-D	33.8														33.8
36-D															
37-D															0
45-D															
TOTAL	33.8	0	0	0	0	0	0	0	0	0	0	0	0	0	33.8

TOTAL DIESEL	33.8
DIESEL @ $ 91 A GALLON	30.76

34-G	28.3	24.7													
38-G	25.4														
39-G	19	12.9													
40-G	15.1	15													
46-G	33.1														
TOTAL	120.9	52.6	0	0	0	0	0	0	0	0	0	0	0	0	173.50

TOTAL GAS	173.50
GAS @ $1.05 A GALLON	182.18



3-Apr

32-G															0	
33-G	21.6														21.6	21.6
31D															0	
30-D	17.1	17.5													34.6	34.6

TOTAL DIESEL	34.6
DIESEL @ $.91 A GALLON	$31.49

TOTAL GASOLINE	21.6
GASOLINE @ $1.05 A GALLON	$22.68

NORTH BOROUGH PARKING LOT MONTH & YEAR 3-Apr

PARKING VIOLATION

DATE	TIME	TICKET NUMBER	LICENCE NUMBER	MAKE & COLOR	WIN	LOST	METER
4/1/2003	13.01		DVK-4499	TOYOTA			27
4/2/2003	13		EKC-8928	CHEV			13
4/8/2003	13.43		EPG-3415	PLYMOUTHGREEN			NOSPACE
4/15/2003	13.02		EVG-6377	MERCEDES			62
4/15/2003	13.02		DZK-7788	HONDA			86
4/15/2003	13.02		DXW-6403	VOLVO			74
4/15/2003	13.02		EJS-6873	HONDA			NOSPACE
4/16/2003	13.02		EHS-6343	SATURN			25

	YEAR	$160.00
	MONTH	$40.00
	YEAR	$200.00

BOROUGH OF HATBORO

OFFICE OF THE FIRE MARSHALL

414 SOUTH YORK ROAD
HATBORO, PA 19040

MONTHLY FIRE MARSHALL REPORT

Month of : 2000

	THIS MONTH	YEAR TO DATE
Inspections	15	109
Re-inspections	1	3
Fire Investigations	3	16
Special Service	1	11
Fire Reports Issued	0	1
Permits Issued	6	12
Permit Fees Collected	$150	$500
Fire Report Fees Collected	0	$25
Inspection Fees Collected	$1,497	$4,193
Miscellaneous Fees Collected	0	$300
Total Fees Collected	$1,647	$5,018

Remarks:
U & O Inspections 3 for 27 fees $1,270 for $9,470 Reinspection 1 for 3

	Invest.	Inspt.	S.S.	Total
Stauch	1.25	2.20	16.25	20.35
Thomas	0.0	1.50	0.0	1.50
Sine	0.0	0.0	16.00	16.00
Reading	0.0	1.30	0.0	1.30
TOTALS	1.25	5.40	32.25	39.10

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, June 23, 2003

PRESENT
President Clark, Vice President Zygmont, Councilpersons Acker, Ehrsam, Polaneczky, Taggart, and Younglove, Mayor Celano, Solicitor Meyer, Sergeant VanDolsen, and Superintendent Stauch.

ABSENT
Chief Gardner and Borough Manager Pantano.

CALL TO ORDER
PRESIDENT CLARK called the meeting of the Council of the Borough of Hatboro to order at 7:30 p.m.

MINUTES
PRESIDENT CLARK stated that Council is in receipt of the April (revised) and May Council meeting **minutes**. COUNCILPERSON YOUNGLOVE made a MOTION to approve the Council meeting minutes of May 19, 2003 and April 28, 2003. This motion was SECONDED by COUNCILPERSON EHRSAM and APPROVED by Council unanimously.

PRESIDENT'S REPORT
PRESIDENT CLARK stated that he received a very nice letter from Tom Murt, a fellow commissioner, currently stationed in Iraq. The letter said:

> I am in Iraq right now, north of Tikrit. We are working on securing this region. We are in Saddam's hometown and there are actually many of his diehard supporters still here. We have to be careful at all times because there are still many incidents and gunfire at night. Iraq looks to be a very poor nation. The people look impoverished and beg for money and food from the soldiers. The soldiers give them what we can and trade for Iraqi money as keepsakes. I suspect that the oil money went to Sadaam, his family, and the Baath Party members who supported Sadaam.
>
> Life here is quite Spartan. We have no amenities and live in tents. It makes you appreciate the things back home we take for granted. It is very hot here with temperatures pushing 110 and 120 degrees and hotter as we enter the Iraqi summer. It is important for the soldiers to protect themselves from the sun. It is quite easy to become a heat casualty.
>
> Please keep my family and me in your prayers. The deployment has been hard on us – especially my wife and three children. Your prayerful support would be much appreciated. Take care and give my best to everyone in Hatboro.

BOROUGH MANAGER'S REPORT
PRESIDENT CLARK stated that the **2003 CDBG Grant Application** includes the reconstruction of curbs, sidewalks and handicap ramps, pedestrian lighting, resting benches, trees & street gates, and mill & overlay of deteriorating roadways. The Borough's request is for $174,082 project. The grant would be for $147,970 in construction costs with a Borough match of $26,112 covering engineering fees. The County plan has included the entire $147,970 of construction costs in the recommendation. The next step, for the County is to hold public hearings on the Annual Action Plan.

PRESIDENT CLARK announced that the **DCNR grant** request for pool renovations was not approved. The process is a very competitive process. The next open application period for grants through the DCNR program begins July 14, 2003. President Clark stated that Borough Manager Pantano already spoke with Wayne Wade of Wade Associates and they will be prepared to submit the new application. Borough Manager Pantano has already confirmed that the application cost is still in line with the actual expected costs.

PRESIDENT CLARK stated that the construction project for the **recycle center** is well underway. Additionally, the bids for the truck scale at the recycle center we received and the recommendation

for award was given. At this point, the Borough still maintains a positive balance in the account so no funds have been expended from the budget this year.

PRESIDENT CLARK reported that Borough Manager Pantano has received additional responses from the letters concerning the elimination of the **R2 Septa line** servicing the Borough. Representative Cornell indicated, in a letter, that he supports the restoration of mass transportation funding. Septa General Manager Moore's letter was less positive stating that their position is basically that if funding is cut then the services will be cut. President Clark mentioned that he met with a Septa board member last week.

PRESIDENT CLARK explained that Borough Manager Pantano received correspondence from **Bux-Mont Meals on Wheels**. Marge Lethbridge, coordinator of Meals on Wheels, thanked the Borough sincerely for this year's contribution.

PRESIDENT CLARK stated that Borough Manager Pantano has been looking into having the **Borough Ordinance book** updated to include all ordinances added or changed since the last time the Ordinances were codified. It is very important to keep those books updated since Borough staff as well as our professional consultants use this information all the time. Borough Manager Pantano looked into updating the regular ordinance book as well as having the **Zoning Ordinances codified**, since this was never done. Borough Manager Pantano noted in his manager's report that the cost for the Ordinance book update is very reasonable and he recommended that they go with it. The update would only be approximately $1,100 with the Zoning Codification being approximately $5,000. The Zoning Codification is a little more costly since it was not done in the past. Borough Manager Pantano had suggested that holding off on the Zoning Ordinances might be a better idea for two reasons. One is the cost involved at this time. Secondly, the Revitalization Study might result in recommended changes to the Zoning Ordinance. Additionally, if the Borough pursues the idea of a Historic Preservation District then the Zoning Ordinances would be affected.

PRESIDENT CLARK mentioned that Borough Manager Pantano was contacted by Mr. Donald English representing an organization called **Inter-faith Housing Alliance**. They are a group working to provide help to homeless families. Their program involves working with churches and non-profit organizations to provide temporary housing for homeless families. They hope to have several churches, within the Borough, work with them to provide space for their temporary housing. Borough Manager Pantano forwarded the information about this organization to Council and also asked the Chief of Police, Code Enforcement Officer, and Fire Marshal to comment on their concerns or issues.

PRESIDENT CLARK explained that Borough Manager Pantano received correspondence from the Pennsylvania Department of Transportation indicating that the **Highway Occupancy Permit** for **Commerce Bank** will be issued pending the receipt of the revised plan for the traffic light intersection at Lehman and York Roads. Commerce Bank is in the process of finalizing the plan and will submit it as soon as possible. Once this is done and the Highway Occupancy Permit is issued the bank will be able to open their entrance onto York Road.

PRESIDENT CLARK announced that Borough Manager Pantano calculated and submitted the new rate for the rental of the Loller Building space to **District Court**. The new rate is approximately $171 per month more for this year. The Borough is in receipt of the money owed since March and the new monthly payment will reflect the correct amounts.

TREASURER'S REPORT

TREASURER McKEAN reported that as of 05/31/03 the balances invested in the Pennsylvania Local Government Investment Trust (PLGIT) totaled $2,419,801.15. Interest credited for the month was $1,957.07. Average yield for May was 0.96%.

PAYMENT OF BILLS

PRESIDENT CLARK stated that Council has received copies of the **bills** and **manual check list**. VICE PRESIDENT ZYGMONT noticed that the **Nu-Life Professional Dry Cleaners** invoice was for the months of February, March, and April and she wondered why it was for so many months. SERGEANT VANDOLSEN explained that Nu-Life submits their invoices to the police department in chunks sometimes and that is the reason. Vice President Zygmont said she wanted to make sure that we were paying them on time. Sergeant VanDolsen explained that occasionally they would allow the invoices to accrue over several months. COUNCILPERSON YOUNGLOVE made a MOTION to approve the warrant list and the manual check list. This motion was SECONDED by COUNCILPERSON POLANECZKY and APPROVED by Council unanimously.

MAYOR'S REPORT

MAYOR CELANO stated that he would be remiss if he didn't recognize the two gentlemen from the **press**. He explained that that we read all of their wonderful articles. He stated that he appreciates all of their articles and sincerely appreciates the article written about he and his wife.

SOLICITOR'S REPORT

SOLICITOR MEYER had a few discussions with the attorney from **Carr & Duff**. He has not reached any conclusions yet and the court has not yet set a date for oral argument. He will notify Council when he is aware of a hearing date.

SOLICITOR MEYER had a hearing before District Justice Paul Leo regarding **M & M Realty**. There were some violations cited by the Fire Marshal and the Code Enforcement Officer. He explained that negotiated for a period of time and then reached an agreement whereby they would pay the fine of $750, move some cars, give a report on the fire alarm system, and report back within thirty-days. They are trying to move along and keep the Code Enforcement Officer and Fire Marshal up to date so there are not other violations like that. There is another hearing on July 17th. COUNCILPERSON YOUNGLOVE asked if this building was the former Sanitarians. Solicitor Meyer said yes.

SOLICITOR MEYER noted that he reviewed language and prepared easements and other documents for the **Belfus land development and subdivision**. They are almost in agreement for what needs to be done. He has been in contact with Borough Engineer Solarz regarding this project.

SOLICITOR MEYER stated that he met with Borough Engineer Solarz regarding **Moreland Townhomes**. He has received a letter from their attorney indicating that they have accepted the conditions proposed on June 16th. That project should also be moving ahead with only a few small issues still needing to be taken care of.

DEPARTMENT SUPERVISORS' REPORT

SERGEANT PETE VANDOLSEN stated that there is nothing to report at this time.

FIRE MARSHAL STAUCH submitted a report, in advance, which is attached.

SUPERINTENDENT STAUCH submitted a report, in advance, which is attached. He added that Borough Manager Pantano forgot to put a report on the progress of the **South Penn Street and South New Street Projects** into the packets. Superintendent Stauch reported that they are working as quickly as they can, however, with all of the rain they are approximately two weeks behind. He stated that they are doing a good job.

COUNCIL/COMMITTEE REPORTS

Administration – Dr. Clark

PRESIDENT CLARK took a moment to reflect upon the passing of a great man, **Allen Meade**. Mr. Meade did many wonderful things. President Clark explained that he saw many of Mr. Meade's projects and he didn't want it to go by without being mentioned. President Clark stated that Mr.

Meade did a great job for the community and he was a wonderful family man and citizen of the community.

PRESIDENT CLARK made a MOTION to appoint **Joseph Lutz** to the **Borough Authority** for a five-year term. This appointment will go until December 2007. This motion was SECONDED by COUNCILPERSON YOUNGLOVE. COUNCILPERSON POLANECZKY stated that he had questions and observations. He said they met to finally interview after he called about interviewing for the Borough Authority about two months ago he believes. Councilperson Polaneczky stated that they interviewed four candidates. Two of them were candidates who were interviewed for Borough positions before, not necessarily this authority. One was Richard Meade, an engineer, and the other one was Maureen Kelly, a customer service representative for PECO. He added that then out of the blue two more candidates names were brought before Council. The two additional candidates were Joe Lutz and Skip Emig. Both of them were interviewed as well. Councilperson Polaneczky explained that after all of the candidates were interviewed, he must say that they were impressed with all of the candidates and they were impressed with three certain candidates that they thought were extremely impressive. He stated that they asked President Clark to go and ask the Authority if they would have any preference as to whom they would like to have appointed. President Clark said he didn't believe that all of Council asked him to contact the Water Authority. Councilperson Polaneczky stated that he believes his fellow council members asked when they were sitting at the committee meeting. Councilperson Polaneczky then stated that President Clark did ask Tom McMackin, President of the Authority, but not the rest of the Authority members. Councilperson Polaneczky stated that he spoke to some of the Authority members and he shared a memo from President Clark to the members of Borough Council. It stated that he spoke to Tom McMackin and Tom McMackin would like Mr. Lutz. Councilperson Polaneczky stated that he has some misgivings. President Clark asked which members of the Authority he spoke to. Councilperson Polaneczky stated that he spoke to Mrs. Doorley, Mr. Mauer, and Mr. Zygmont. He reiterated that he has some misgivings and explained that Mr. Lutz is a Borough employee. He added that they have not appointed Borough employees to positions that can expend money before. He said people have been appointed and then become employees, such as Zoning Hearing Board members and Council members but they earn small salaries. He again stated that they have never appointed a Borough employee into a position where they would be in charge of spending this amount of money. Secondly, they have had discussions before and the Fire Company has asked their Relief Association to expend funds on behalf of safety equipment and projects and they have been denied. Councilperson Polaneczky stated that he feels it creates a great conflict of interest when Mr. Lutz, serving on that committee, may deny them there but then feel that he can expend funds on the Fire Department out of the money that's coming out of the Borough Authority, when maybe that's not going to come out of those funds. Councilperson Polaneczky stated that they have four financial people on the Authority already though he questions Mr. McMackin's judgments since there have been insurance policies that have not been renewed on time and some CD's were allowed to rollover at lower rates, where they could have received higher rates, so he's not so sure that Mr. McMackin is the one who should be suggesting who is of great financial mind. He also has some problems with Mr. McMackin's budgeting practices while on Council and carrying hidden debts. Councilperson Polaneczky stated that he thinks that it represents a problem and a potential conflict of interest for Mr. Lutz to be appointed to this Authority. Councilperson Polaneczky suggested that the other two were both good picks. He stated that neither of them have served before but both of them had a resume on file for over a year and both of them have interviewed twice. He explained that Mr. Meade is an engineer and he could save the Borough some engineering costs and they need the Borough Authority to take on projects other than just investing. In addition, he explained that Miss Kelly came right out and said, "Look I'm just not satisfied with the five million we have. I think we could undertake a grant matching process at the Authority level to try to increase those funds." Councilperson Polaneczky stated that he was thrown for a loop and he thought that that was a great idea. Councilperson Polaneczky stated that what was hyped about Mr. Lutz, and added that President Clark himself hyped it, is true and he agrees that it's good to have an investment plan but he believes that when they talked about the Authority about a month and a half ago, Mr. Zygmont informed them that the books were now in order with the exception of the audit which they can't get

done because we, as the Borough, have not provided the correct information. He stated that he agrees that we are working on providing the necessary information but the books are now in order and the CD's come due one batch every six months for five years, or one-tenth at a time. He reported that they are all invested and he doesn't see what Mr. Lutz adds at this point. He believes that a little public relations or grant writing or maybe an engineer that could help the price that they spend on engineering might be a better appointment at this time. Councilperson Polaneczky stated that quite frankly he is not real happy with Tom McMackin's counsel because as he pointed out already, Mr. McMackin has made mistakes and Councilperson Polaneczky stated that he's heard whispers that that's the reason some of the people have resigned from the board in the past – because they were worried about the liabilities. He stated that those are his concerns and he will be voting no for Mr. Lutz. He said he would vote for one of the other two. Councilperson Polaneczky stated that he doesn't quite frankly think that Skip Emig is as qualified for this position as the other three were. He further stated that Skip Emig would actually be his fourth choice. President Clark thanked Councilperson Polaneczky for his comments. He added that he remembers coming out from the interviews that evening and he recalls Councilperson Polaneczky stating that he would be satisfied with any of the three. Councilperson Polaneczky stated he wanted the chance to think about it though. VICE PRESIDENT ZYGMONT stated that she would have liked to have seen the entire Authority asked for their opinions. With a vote of 4 to 3 having Councilperson Ehrsam, Vice President Zygmont, and Councilperson Polaneczky voting no, this motion was APPROVED. Vice President Zygmont explained that she voted no due to the conflict of it being an employee.

COUNCILPERSON POLANECZKY stated that he spoke to Lynn Hartzell about what was posted on the Internet. January, February, and March Council meeting minutes are posted and April was held up due to making corrections. He added that he inquired about the **committee meeting minutes**, none of which are up there, where more is discussed as far as content as to the different committees and what goes on with those committees. Councilperson Polaneczky stated that those committee meeting minutes we not posted and when he spoke to Lynn Hartzell she e-mailed him stating that she thought they were not to be posted. Lynn Hartzell explained that it was previously discussed the committee meeting minutes are not formerly approved therefore they are not posted. Councilperson Polaneczky stated that he's not so sure that that's exactly right. PRESIDENT CLARK stated that they are not approved at the Council meetings and you would not want to post something that was not approved. Councilperson Polaneczky stated that they are public meeting so we could put them on and he doesn't think we ever said that because they are not approved that they would not be put on. COUNCILPERSON YOUNGLOVE said they did say that. Councilperson Polaneczky asked if we said that we had to have an approval. Councilperson Younglove explained that since they are not approved they will not be on the site. Councilperson Polaneczky asked if the public was not entitled to have a copy of the minutes. Councilperson Younglove explained that it's a public meeting so they could attend the meeting. Councilperson Polaneczky stated that it's a public meeting and we take the minutes. Councilperson Younglove again stated that the committee meeting minutes are not approved by Council. Councilperson Polaneczky stated that he guessed the public was not entitled to know what is discussed at the meetings. Councilperson Younglove stated that that is only Councilperson Polaneczky's view. Councilperson Polaneczky stated that they are public meeting minutes and they can come down at get them at the counter. He asked why they can't get them from the Internet. He stated that he's been asked by six or seven people that are in the audience about that, including Mr. Bill Tompkins. COUNCILPERSON EHRSAM stated that that's really why we have the Internet – to inform everybody. Councilperson Polaneczky again asked why we can't have public meeting minutes on the website when the public can come down and request them from the counter. He then asked if there was a problem with that. President Clark stated that it's only his opinion but he feels as though they should not be posted because they are not approved by Council and then he asked Solicitor Meyer what his opinion was. SOLICITOR MEYER stated that we have never done committees and they are not considered to be a public record like the minutes for the minute book. He has not seen them published in any other place. Solicitor Meyer explained that his opinion is not to say that you can or you can't or you may or may not but historically it's not been done. He added that he would be happy to look into it further to see if there is any statute that precluded you from doing that or a statute that requires you to do it. He added that he does not have

a chapter or verse to cite, it's just never happened. Councilperson Polaneczky asked whose discretion it is under and gave the example of something being discussed under the Public Works committee then, he asked, would it be the at the head of the committee's discretion. Solicitor Meyer said no because it would be Borough Council's decision because you need four votes to get something accomplished. He added that the committee could not go out and do whatever they wanted to do because the committee is made up of only three people. He explained that Council could take a vote and that body could take a vote to agree to do something but the committee cannot make a policy for Borough Council. Councilperson Polaneczky asked if people were not entitled to the public discussions that they have within the Council chambers. Solicitor Meyer explained that he did not say that. Councilperson Polaneczky asked if a resident could go to the counter and ask Borough Manager Pantano for a copy of the committee meeting minutes if he or she missed a meeting. Solicitor Meyer said he didn't see why the resident wouldn't be able to see a copy of the minutes. Councilperson Polaneczky asked what the difference was, in his opinion. Solicitor Meyer said he does not have an opinion. He does not have a statute or a case that he can refer to but as he already stated he would be happy to look up the legal opinion. He added that just because it hasn't been done forever doesn't mean that it shouldn't be done ever. Councilperson Polaneczky asked if Solicitor Meyer's opinion was that someone could come down a request a copy of the minutes. Solicitor Meyer stated that he feels they are entitled to see what happens in the committee meetings. Councilperson Polaneczky asked if that would be any different, in his personal opinion as an attorney, without case reference, to put it on the Internet compared to viewing the minutes in Borough Hall. Solicitor Meyer stated that he thinks there is indeed a difference between someone looking at a paper in Borough Hall and putting it on the Internet – whether that is right or wrong he doesn't know but it's his personal opinion, not a legal opinion. Councilperson Polaneczky asked if they could receive a copy of the minutes. Solicitor Meyer said he didn't see why not and asked if any residents have been denied of this. Councilperson Polaneczky said they have not been denied to this point but he has had a lot of people ask if they could see the minutes of the committee meetings. Solicitor Meyer said he is not aware of any reason that they should be prevented from looking at what is going on at the meetings and he reiterated that he would be happy to look into it.

Budget & Insurance – Mr. Polaneczky

COUNCILPERSON POLANECZKY stated that he had nothing on the agenda except to bring up something that Borough Manager Pantano called him about last week. Borough Manager Pantano and Bookkeeper Cannon met with representatives from **Commerce Bank**. He stated that the less than one percent interest that Treasurer McKean reported on and several other problems with charges for transfers for PLGIT led Borough Manager Pantano to seek out a better route for the investments and the inner-transfers of funds of the Borough's money. Councilperson Polaneczky stated that Borough Manager Pantano thought that these problems with transfers and interest were kind of cumbersome. Councilperson Polaneczky stated that Commerce Bank representatives did come down and make a presentation and he has not yet seen all of the details but from what he understands Borough Manager Pantano is very happy with the presentation. Councilperson Polaneczky said that he thinks some of the things that Bookkeeper Cannon likes, and Tax Collector Emig who is already using them likes, are that they are open seven days a week so they do not have to rush down in the middle of the day. Instead they can do the deposits when their day ends. He added that Commerce Bank is offering some better rates on interest that would help offset some of the service charges. Councilperson Polaneczky announced that they are offering direct deposit for the paychecks, which is something that the Borough does not currently have. Councilperson Polaneczky asked Solicitor Meyer if they needed to vote to change whom the checking accounts and other monetary funds are held with. PRESIDENT CLARK stated that they would need a presentation first. Councilperson Polaneczky said he was just trying to figure out how to go along with it. SOLICITOR MEYER said they should certainly do that if they find a better deal with another institution then the preferable way would be to indicate the change by a vote. Councilperson Polaneczky agreed and said he wasn't sure if it was required. He added that he planned to see if Borough Manager Pantano could see if there was a balance between interest earned and fees to be paid. He said he would like to present a report at the Budget Committee meeting in July. Councilperson Polaneczky stated that if it seems the Borough would do better with Commerce Bank

then he will ask to have it placed on the agenda for the July council meeting for approval. Councilperson Polaneczky explained that Commerce Bank put together quite a presentation.

Parks, Recreation, & Community Affairs – Mrs. Zygmont
VICE PRESIDENT ZYGMONT stated that she has nothing formal to report on. She announced that on Friday, June 27th **Teen Night** will be held at the pool from 8:15 to 10:30 p.m. She added that on Saturday, provided there is no rain, there will be a **Concert in the Park** from 6:30 to 8:30 p.m. Vice President Zygmont said there was **vandalism** in the pavilion last night and there is a lot of graffiti there. Also two of the manholes had overflowed so the **Sewer Authority** was down there today therefore it should be cleaned by Wednesday. She said she will go down and check.

VICE PRESIDENT ZYGMONT said that in October or November she gave Council a packet on the proposal she wanted to send to the **Borough Authority**. She wanted to make sure there were no problems with it. She assumed that since no one had any comments it was ok to send. Vice President Zygmont stated that she never heard back from anyone.

VICE PRESIDENT ZYGMONT stated that President Clark sent a memo stating something about getting numbers together for the **pool** and combining it with the **parks program**. PRESIDENT CLARK explained that that issue is under her jurisdiction because it relates to the parks. Vice President Zygmont said ok and she just thought there was some program so she was just checking.

Public Relations – Mr. Younglove
COUNCILPERSON YOUNGLOVE stated that he had nothing to report at this time.

Public Safety – Mr. Taggart
COUNCILPERSON TAGGART stated that he had nothing on his agenda, however, he had a question for Vice President Zygmont and his fellow council members. He explained that it was brought to his attention that this year, for some reason, some of the volunteer firemen have been denied **pool memberships**. He was just wondering who made this decision and when this decision was made. VICE PRESIDENT ZYGMONT stated that she would have to check with Borough Manager Pantano on this. She added that besides the police officers getting free memberships she didn't believe that we were giving free memberships out. COUNCILPERSON POLANECZKY stated that especially with the expenses and being over the budget at the pool. Vice President Zygmont agreed and stated that especially with everybody griping about it. She asked how many memberships they asked for. Councilperson Taggart said it was new to him because he didn't remember this being discussed or the decision to take the memberships away from them. Vice President Zygmont said that was not her decision, rather it was Borough Manager Pantano's decision. She asked Chief Zollers how many memberships they usually got. CHIEF ZOLLERS said he was not sure. Vice President Zygmont stated that somebody told her that last year it was ten. RICH LEFEBVRE said it was about twelve people, including their families, last year. Councilperson Polaneczky said he's not even sure about the police. Vice President Zygmont said the police have it in their contract. Councilperson Polaneczky said that he's not sure if it came out because he remembers talking about it. SERGEANT VANDOLSEN said he thinks it's still in there. Councilperson Polaneczky said that most of them don't even use the pool so it doesn't really matter and then he asked if it was still in the contract. Sergeant VanDolsen said it is still in the contract. Vice President Zygmont agreed and said she will check with Borough Manager Pantano.

COUNCILPERSON POLANECZKY stated that President Clark put together a memo asking Superintendent Stauch to put together some numbers. He also thinks there is an architectural study for the Loller Building and what Vice President Zygmont had just suggested. It also talked about ways of improving the **firehouse** short of building a new structure. Councilperson Polaneczky asked if Councilperson Taggart has had the chance to look into it to see if he could get a consultant or somebody that isn't going to cost anything. COUNCILPERSON TAGGART stated that the Fire Company already has plans that the Fire Board has already looked at. They plan on addressing this at the next Fire Board meeting. They will not hire any consultants until they find out what their needs

are. Councilperson Polaneczky stated that that was his concern and asked if that was the same proposal that they got from the Fire Company before for the new firehouse. CHIEF ZOLLERS said it's for the addition. Councilperson Polaneczky asked if it was for renovations or for an addition. Chief Zollers said it is renovations and an addition. Councilperson Polaneczky asked if it was a new firehouse. Chief Zollers said it is for renovations and additions and the engine bays are fine as far as the size is concerned. Councilperson Polaneczky asked if that was the one for two million dollars. Chief Zollers said that is correct and they have had plans for the last two years. They have had many sets of plans for the renovations and additions and Council is welcome to look at all of the plans. Councilperson Polaneczky asked if there were efficiency experts or fire efficiency experts other than architects or the firemen who kind of prioritized things into what they need, what may be nice, what they may not need, and what they may need or anything to that extent. Chief Zollers said when Dave Blackwell was the president then they had someone and as he already said there have been plenty of different plans so they can review all of them to determine which would be the best plan. Councilperson Polaneczky asked if they would be willing to have somebody, from the County or the State, help them out with that. He said he knows there are free programs to evaluate what their needs are, what grants could be obtained, and supposedly for the funding. He is being told that there is a fund as he has been investigating with people such as Tom Sullivan and people from the Attorney General's office in the State. He said they would administrate the Fireman's Relief Association money. Chief Zollers stated that if it's free then it's a great idea. Councilperson Polaneczky said he would give Councilperson Taggart some of the names of the people he has contacted.

Public Works & Public Properties – Mr. Ehrsam
COUNCILPERSON EHRSAM stated that he has nothing on the agenda.

Zoning, Development & Historical Preservation – Mr. Acker
COUNCILPERSON ACKER said he would like to consider preliminary final approval on the **Belfus property** on York Road. He stated that at the June 9th committee meeting they had a review with their attorney, Mr. John. At that time our engineer had completed a review on pertinent information and then came forward with a June 20th memo, which was sent to Nick Rose and Randy Belfus. Bob John stated that he was not in receipt of the memo Councilperson Acker was referring to. Councilperson Acker stated that the memo lists seven points. Borough Engineer Solarz gave him a copy of the memo. Bob John stated that he would go through the memo if it was ok. Councilperson Acker stated it would be fine. Bob John said the first item stated that the agreement and document and lease document provided to the Borough Solicitor on June 16th should be modified to the satisfaction of the Borough Engineer and the Borough Solicitor. The documents will require corresponding legal descriptions for easements, including provisions for Borough/public access for units 47 and 48. Bob John stated that he had two questions about that. They were required by the Zoning Hearing Board to have Belfus have access to the adjoining property to install the fence. He added that Bill Brusca is in agreement. SOLICITOR MEYER stated that he thought it would be best if the person that owns the property does his own work, instead of having his neighbor doing the work for him. Therefore Mr. Belfus would not need an easement to get onto the Brusca property. Solicitor Meyer stated that as long as Mr. Belfus has the responsibility that everything is done then Mr. Brusca could do the work. Bob John stated that at this point he thinks that he has to leave it in the plans since Mr. Belfus would need the easement to go onto the property if he has the responsibility to take care of it. BOROUGH ENGINEER SOLARZ said whatever the appropriate legal mechanism to accomplish the work actually getting done will surely be done. Borough Engineer Solarz pointed out that what is shown on the plan is what they are reviewing for action on the land development portion of it. He added that the work that is shown on the plan must be accomplished. Bob John stated that the bottom line is that the way the document is drawn, Mr. Belfus has the right to see the work is done and access the property and Mr. Brusca has agreed to allow him that access. Bob John stated that the Borough is trying to point out that if Mr. Brusca can enter into an agreement with the Borough in a binding way that would seem to make things a lot simpler. Solicitor Meyer stated that that is the ultimate goal of this request. Solicitor Meyer stated that the goal is to get it done and the language and methodology can be worked out. Borough

Engineer Solarz repeated that the condition stated that it should be modified to the satisfaction of the Borough Solicitor and the Borough Engineer. Bob John stated that his other concern is that his agreements don't allow access to privacy for the entire length of both properties. He stated that he will add into the language of the document that Mr. Brusca can access the fence behind this property. Bob John stated that the Applicant would comply with whatever the requirements of the office were and they would be glad to make those changes. Borough Engineer Solarz then explained that item number two mentions the easement that comes up from Williams Lane and then turns the right crossing units 47 and 46. They would like the footprint of the easement to go up to the common line of 47. Borough Engineer Solarz showed Bob John, on the plans, that the Lewis' are the next one. Solicitor Meyer stated that the Lewis' have not had the opportunity to hold the document yet but he's being told that they have their easement and if someone bought that property and closed it off then they would technically have no way of getting up there unless it was broadened out a little bit. Bob John said there may be an easement over by 52. Solicitor Meyer stated that that is what he is referring to – the three neighbors have a cross easement with each other and it runs directly along the property line. Bob John stated that he was unable to find such a document. Solicitor Meyer stated that it may not exist but that's what he is being told but if he has the opportunity he could review it. This would also allow for more space for turning. Solicitor Meyer said if this is not true then it won't make any difference. He added that they don't want to interfere with the parking spaces because they know they are critical back there. Bob John explained that if there is such an easement then they would want unit 52 and their neighbors should flip their easement. Bob John noted that the Applicant, however, has no power over that. Solicitor Meyer stated that he doesn't know of another answer but if the Applicant comes up with a practical answer for dealing with the ingress and the egress then he would review it. Bob John asked if Solicitor Meyer wanted the fire lane extended for unit 47. Borough Engineer Solarz showed Bob John where it needed to be on the plans. Solicitor Meyer stated that their intention is to not lose any parking spaces. Bob John said the only way to go is straight up. Borough Engineer Solarz said they would like to have them redraw the configuration of this easement so that in the event it would need to be connected in the future then it would already be completed. Solicitor Meyer reiterated that if there is no easement on record then the Applicant may not have a problem. Bob John said that there seems to be an easement on record then that easement does not affect units 46, 47, and 48. Solicitor Meyer stated that it doesn't affect the three units, however, it does affect the fire company and anything else that necessitates the right-of-way through there. Bob John said if they are showing the lane being open then they are not going to block it and people obviously can't park in the center then it's clearly designates as an open lane. Borough Engineer Solarz stated that if the property was sold or anyone else comes in then they would see the line. Solicitor Meyer stated that they would like to have a straight line if they could but he knows they can't do that. Solicitor Meyer the pointed out that their discussion covered item number three. Bob John read item number three. He read, in accordance with discussions during the Council Committee meeting of June 9, 2003, the Applicant had agreed had agreed that they would resolve the issue of the 'No Parking' signs on unit 48 and provide a replacement shade tree at a location determined by the Borough. Bob John said the Applicant already agreed to that so it's fine. Bob John stated that the Applicant agreed on behalf of Mr. Brusca to have that accomplished. Bob John then read item five. He said the Applicant must agree to address and resolve the items of Gilmore & Associates, Inc.'s letter of June 6, 2003 to the satisfaction of the Borough, the Borough Engineer, and the Borough Solicitor. Borough Engineer Solarz clarified that they we just recapping the discussion at the committee meeting. Bob John stated that at this point the Applicant is willing to conform to all but they need to get final approval. Borough Engineer Solarz explained that if the Applicant gets the three waivers approved then they will comply with the other issues. Bob John then read item six. He said the Applicant must agree that as a condition of approval, that all improvement shown on other properties including, but not limited to paving, striping, fencing, curb, sidewalk, etc. are the responsibility of the Applicant to complete as the subdivision and land development of units 46 and 47 are predicated on the site improvements shown in unit 48. Borough Engineer Solarz said they have that all worked out. Solicitor Meyer explained that the Belfus' have the responsibility and Mr. Brusca will do the work. Bob John stated that Solicitor Meyer has his own Escrow Agreement that he would like to see used and he would be happy to use it. Bob John repeated that the Applicant will comply with the

conditions set forth in the Engineer's June 20th letter and will finalize the Agreements with Solicitor Meyer. Bob John then asked Council to consider the Applicant's three waivers. The first waiver is regarding the landscaping to go right up to the line. The neighbor has agreed to a privacy fence in which he wants on his own property. The second waiver was regarding the parking being at least fifteen feet away from the property line and right-of-way lines. On the first set of plans the Applicant was not putting parking along the rear line but at the request of the Zoning Hearing Board, we changed the plans to have the fire lane going down the center line. The Applicant then went back to his Engineer to have the plans revised to move the parking along the residential line. In order to follow through with this, the Applicant needs a waiver from the setback from the property line for both Mr. Brusca and Mr. Belfus. The third waiver is about drainage. Bob John explained that usually when you have major subdivision plans you have major drainage to do, including showing where the water is going. In the Applicant's case, there is no storm drain going down York Road to tie into. As a result, the Applicant has to show where the downspouts are coming from as well as the direction of water. The easement which would follow the requirement for water drainage to cut across 46, 47, and 48. The Applicant is in agreement to comply with the Engineer's letter dated June 20th. Bob John then stated that the Applicant is in attendance for the preliminary plan approval and then subdivision plan approval. After that the final plans will be approved. He asked if preliminary and final plan approval, including being granted the three waivers provided the Applicant follows the Engineer's requirements in the letter dated June 20, 2003. Councilperson Acker stated that there are a lot of minor details that have to be taken care of and has nothing to do with the major construction portion of it. He stated that in light of the fact that the Belfus' have been in this town for a number of years, owning a business here for a number of years, and he understands that they would like to see the project beginning so they can start developing the lot. Councilperson Acker made a MOTION to consider preliminary and final plan approval for the Belfus property on York Road subject to the conditions outlined in Borough Engineer Solarz' memo dated June 20, 2003. He reiterated that the June 6, 2003 memo is incorporated into this memo. Borough Engineer Solarz confirmed that this was correct. Councilperson Polaneczky asked if we could change the wording to include final approval by our engineer. He explained that some of the approvals are kind of gray and as long as they pass through Borough Engineer Solarz then he doesn't have a problem with it. COUNCILPERSON YOUNGLOVE suggested that if we added the Borough Engineer then we should also add Solicitor Meyer. Councilperson Polaneczky agreed. VICE PRESIDENT ZYGMONT asked if it was possible to approve the waivers and only the preliminary portion of this because she is uncomfortable approving the final plans before they see that it has all been worked our. She added that she knows that it's all in the letter dated June 20th. She said she doesn't have a problem with the waivers or the preliminary approval but she would like to know about the status before giving them final approval. Borough Engineer Solarz said he thinks that it should be kept in mind that this is an infill project and because it's the last piece that's getting developed and there are so many things that exist around it already. He added that that is why they are dealing with the easements and some of the complexities. Borough Engineer Solarz explained that what's actually going to be built and what's going to be improved is not that complex and that's not really going to change so they are really trying to incorporate all of the things that they are going to do. He added that along with what Councilperson Acker stated that there are only minor details to still be worked out. There are basically language items, which need to be worked out. From a technical standpoint, Borough Engineer Solarz stated that he is very comfortable with what is being proposed on this plan. It's a matter of perfecting all of the language but he is very comfortable as far as what is going to be built and what you will actually see in the project. Vice President Zygmont said she is comfortable with that part of it but she doesn't feel comfortable with agreeing to the final approval when there are a lot of pieces that are still outstanding. Councilperson Younglove asked Solicitor Meyer for his opinion on this. SOLICITOR MEYER explained that applicants always come in and ask for preliminary and final approval at one time because they want to move ahead with their projects. He stated that Borough Engineer Solarz has completed a thorough review of what has to be done and Solicitor Meyer reviewed the easements and agreements last week when he received them. At that time, Solicitor Meyer spoke with Borough Engineer Solarz and Councilperson Acker to discuss this project. Solicitor Meyer stated that he sent a three or four page letter to Mr. John outlining the various aspects, which needed to be refined in the legal agreements. Solicitor Meyer stated that he is not

uncomfortable regarding the extent of Council giving final approval subject the satisfaction of Borough Engineer Solarz and Solicitor Meyer. He added that they need to comply with what Solicitor Meyer and Borough Engineer Solarz are asking them to comply with. Solicitor Meyer added that if it helps Council then he would be happy to discuss it with Council before giving the final approval. Vice President Zygmont asked if Solicitor Meyer could draft a memo regarding the final approvals. Solicitor Meyer stated that it's not in finished form but due to the nature of it being time sensitive he thinks that it's fine to approve it. He added that Council could vote however they want. Councilperson Acker stated that when giving them the preliminary and final approval they are able to secure financing so that's why he wanted to do it all at the same time. Solicitor Meyer stated that it was discussed to wait another thirty days but then the Applicant would be waiting until July for approval for work to commence in August. He reiterated that he would be happy to provide a memo to Council once the final plans are reviewed. Councilperson Polaneczky stated that subject to allow them the latitude so that if there are any landmines that they can address that before they actually sign off on it. Solicitor Meyer stated that normally there is an Escrow and Developers Agreement which is contingent upon everything being completed properly. Solicitor Meyer stated that he understood Vice President Zygmont's concerns. Ron Battis asked if the fire equipment can get back there once everything is done. Borough Engineer Solarz stated that it's in one of the conditions of approval that written documentation is required back from the Fire Company stating that the fire equipment can access the building to perform the necessary emergency services. Solicitor Meyer stated that the letter dated June 6th specifically states:

> The Applicant must provide written confirmation that the Borough's emergency service providers have reviewed the plan and agreed that the emergency vehicle access is feasible to provide the necessary services. The Applicant's engineer should verify and confirm that vehicles can make the necessary movements to access unit 46.

With a vote of 6 to 1, having Vice President Zygmont voting no, this motion was APPROVED by Council. A resident apologized that he is so late with his request but he wondered if Council had the power to request that a fence be put up in front of this property as it is a tremendous eyesore which has been in the Borough for the past year. He added that there are a lot of people who visit the Borough and to drive down and see this eyesore is a disgrace. He asked if Council he the authority to require the owner to put up a few pieces of plywood and posts to isolate the area to make it easier on the eyes. He explained that right now it is a real mess. President Clark stated that he appreciated his comments and he doesn't know that Council has the authority to make that decision. Solicitor Meyer stated that we have the Zoning and Code Enforcement Officer and Mr. John might just agree to put something up. If there is a danger then the Zoning Officer could require a fence but he doesn't believe there would be a requirement for an eyesore. Mr. John stated that there was a fence up when they were doing the excavation. He added that the eyesore existed before they tore it down. Councilperson Younglove suggested that Mr. John contact Zoning Officer Heller to discuss this situation. Randy Belfus stated that if the plans are approved then the mess would be excavated and cleaned up in two weeks. Solicitor Meyer asked if there would be a fence up for the excavation process. CODE ENFORCEMENT HELLER explained that they need to gain access from the York Road side so they can put in construction. They had silt tents up and a snow fence up to hold the debris. He explained that they have been cutting down the weeds and minding the amounts of trash throughout the process. Solicitor Meyer stated that he would be sending Mr. John a letter to confirm this decision.

COUNCILPERSON POLANECZKY stated that he saw the article about the **public works union** and he wondered if any information from the P.L.R.B. regarding the legitimacy of the union. COUNCILPERSON EHRSAM said no. Councilperson Polaneczky asked if Council was instructed by the attorney to negotiate. Councilperson Ehrsam said no.

PRIVILEGE OF THE FLOOR

Bill Tompkins stated that the **committee meeting minutes** would be helpful if they were on the website for people who are unable to attend the meetings. He believes that a lot more happens at the committee meetings than at the council meetings. He added that it would certainly help the

citizens of the Borough if it could be on the website so they could have easier access to obtaining the minutes.

Bill Tompkins stated that there are many times that Council receives written reports and he wondered if the written reports could be added to the **website**. Bill Tompkins stated that usually the minutes just reference that the Fire Marshal or the Borough Manager submitted a written report. COUNCILPERSON YOUNGLOVE said he would look into the feasibility of doing it. PRESIDENT CLARK pointed out that Borough Manager Pantano usually submits a written report, however, he reviews it orally at the meetings.

Bill Tompkins noticed there was a lot of great back and forth **discussion** with the Council members on the zoning issues. He added that a lot of Council members' opinions were stated and Councilperson Polaneczky brought up an objection to the administrative appointment. Bill Tompkins stated that he didn't really hear the counter side of that. He said that it would be helpful to the public to hear why other Council members disagree with certain disagreements.

Ron Battis stated that Solicitor Meyer is an excellent attorney and that his son was one of the greatest kids he ever taught, but he doesn't like to see him paid for things that we don't need him for. Mr. Battis stated that he's not sure how the Borough managed to get themselves into the workings on an **unfair labor practice** when all they had to do was sit down at the table, set out what was being negotiated, and not kill the person on the other side of the negotiating table. In a congenial way both sides can present their sides, however in an unfair labor practice, as he read in the paper, makes it seem like the Borough is not negotiating. He is concerned with the wasted money on attorney fees fighting unfair labor practices, etc. SOLICITOR MEYER explained that the Council has selected and hired a special attorney and Solicitor Meyer makes no money off of labor negotiations with either the police department or the public works department. Mr. Battis apologized for the confusion and said that some attorney is making money negotiating a labor agreement and the taxpayers are paying for it. He further explained that the Borough has two money losers – one is the pool and the other is legal issues. He stated that the pool should really be given some special attention because the weather has been bad. VICE PRESIDENT ZYGMONT said it was pretty crowded today. Mr. Battis said about two thirds of the lot was actually full today. He mentioned that the park benches that have been added are wonderful. Vice President Zygmont thanked him for the compliment. Mr. Battis stated that the Borough should be careful with the legal fees that the Borough is seemingly tripping into. He noted that they are quite expensive and the Borough simply cannot afford to give the money away. He pointed out that the Borough is liable to end up with more legal fees than it would have cost to negotiate the contract.

ADJOURNMENT & EXECUTIVE SESSION

PRESIDENT CLARK stated that there would be an executive session tonight to discuss a **litigation** matter. President Clark then adjourned the June Council meeting at 8:46 p.m.

Respectfully Submitted,

JOSEPH F. PANTANO
Borough Manager

Transcribed by Lynn Hartzell

BOROUGH OF HATBORO

PUBLIC WORKS DEPARTMENT

459 OAKDALE AVENUE
HATBORO, PA 19040

PUBLIC WORKS REPORT

Month: MAY, 2003

	Month	Year to Date
Loads of Trash	41	188
Tons of Trash	307.41	1,330.75
Street Opening Permits	1	6
Street Opening Fees Collected	$125	$922.47
Sidewalk/Curb Permits	4	11
Sidewalk/Curb Permit Fees Collected	$245	$525.00
Large Article Pick-up Stops	26	57
Amount of Large Articles Picked Up	57	459
Newspaper Tonnage	27.89	124.35
Grass/Leaves Tonnage	62.59	142.14
Recycled Glass/Cans Tonnage	13.35	62.70
Tires Recycled and Cost		$475.50`
Recycles- Refrigerators/Freezers/Microwaves		
Cost of Above		

Remarks:

DIESEL

9-21-D	31.9	23.4	5.1	27.8	24.2	17.9	17.9	4.2	17.7	17.4	4.9	12.2	12.9	3.6	
11-1-D	27.5	27	30.6	24.4	6.1										
17-8-D	27.4														
18-9-D	22.9	34.6	42.1	30.1											
20-12-D															
21-13-D	29.1	30.4													
26-14-D	15	26	18.8												
23-15-D	39	23.7	29.6												
24-16-D	15.4	20.7	20.8	27.8	20	13.9	22.5	23	19.6	27.5	14.2	25.3			
25-17-D	1	1.8	3.5	3.9	3.9	1.3	1.5	3.1	0.9	4.9					
30-M-D															
43-2-D	30.2														
44-D	19.4														
TOTALS	258.8	187.6	150.5	114	54.2	33.1	41.9	30.3	38.2	49.8	19.1	37.5	12.9	3.6	1031.5

GASOLINE

13-3-G	3.3	28	34												
14-3A-G															
15-4-G	15.1	27.3	3.4	35.6											
16-7-G	22.1														
19-11-G	7.8	13.6	3	6.2	4										
27-20-G	20.7	6.4	11	13.3	13.7										
28-59-G	25.1	15.8													
29-M-G	1.8	4.4	3.8	2.7	1.7	30.3	2.3								
42-24-G	16.4	15.1													
47-G															
48-G	1.8														
49-G															
50-G															
TOTALS	114.1	110.6	55.2	57.8	19.4	30.3	2.3	0	0	0	0	0	0	0	389.7

GASOLINE	389.7
$1.05 A GALLON	409.19

DIESEL	1031.5
$.91 A GALLON	938.67

3-May

32-G	19.3														19.3	
33-G	22.5														22.5	41.8
31D															0	
30-D	19.9	23.6	17.3												60.8	60.8

TOTAL DIESEL	60.8
DIESEL @ $.91 A GALLON	$55.33

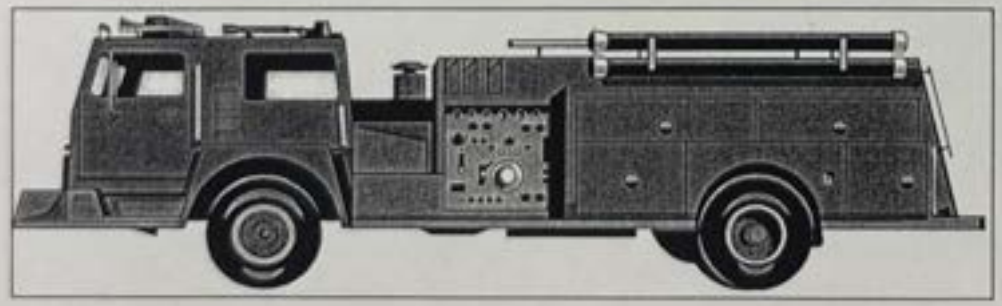
TOTAL GASOLINE	41.8
GASOLINE @ $1.05 A GALLON	$43.89

35-D	31.4														31.4
36-D	20.8														
37-D															0
45-D															
TOTAL	52.2	0	0	0	0	0	0	0	0	0	0	0	0	0	52.2

TOTAL DIESEL	52.2
DIESEL @ $.91 A GALLON	47.50

34-G	29.5														
38-G															
39-G	19	18.9													
40-G	14.6	29													
46-G	29														
TOTAL	92.1	47.9	0	0	0	0	0	0	0	0	0	0	0	0	140.00

TOTAL GAS	140.00
GAS @ $1.05 A GALLON	147.00



BOROUGH OF HATBORO

POLICE FUEL USAGE REPORT

3-May

37-1	37-2	37-3	37-4	37-5	37-6	37-7	37-8	
0	4	4.8	6.3	10.1	17.7	17.8	10.1	
	6.5	8.7	7.6	5.5	17.4			
	4.1	6.6	7.7	12.7	17.6			
	4	5.2	7.6	9.6	17.3			
	3.6	7.2	4.3	5.7	5.1			
	6.2	5.5	9.5	13	14.5			
	5.1	14.9	5.6	15.7	4.3			
	5.7	6.7	8.7	5	7.4			
	5.1	2.7	10	10.4	8.6			
	9.7	8	5.7	10.6	11.3			
	6.9	15	3.6	10.7	4.4			
	4.3	8.3	4.6	9.9	5.2			
	13.5	5	5.5	8.3				
		5.5	6.6	6.3				
		4.3	5.3	7.9				
		7.8	3.1	3.5				
		8	6.4	7.2				
		7.2	7.1	9				
		2.8	6	8.1				
		5.7	4.3	2.9				
			11.8	12.5				
			6.9	7				
			4.7	6.4				
			5.4	8.1				
			5.4	6.5				
			4.2	4.2				
			3	4.7				
			5.7	11				
			4.9	6.9				
			6.7	5.8				
			6.8	8.4				
			11.4	10.5				
			7.7	7.3				
			6	5.2				
			7.2	10.8				
			13.2	11.6				
0	78.7	139.9	236.5	299	130.8	17.8	10.1	912.8

Total Gasoline 912.8

at 1.05 gal = $958.44

_____
sign/initial

GENERAL FUND - Adj - _____ - Police Fuel Usage

Police Fuel	**01.410.250**	**D XXXX**	(charge account)
Maintenance Fuel	**01.437.410**	**C XXX**	(reduce account)

NORTH BOROUGH PARKING LOT MONTH & YEAR 2-May

PARKING VIOLATION

DATE	TIME	TICKET NUMBER	LICENCE NUMBER	MAKE & COLOR	WIN	LOST	METER
5/7/2002	13:04		PA DZZ-3166	PONTAIC GREEN			27
5/8/2002	13:51		PA DST-9507	HONDA WHITE			37
5/9/2002	13:49		PA ENA-3259	SUBARU GRAY			5
5/9/2002	13:49		PA EKD-0645	FORD BLUE			16
5/9/2002	13:49		PA DXW-0994	MERCURY RED			37
5/9/2002	13:49		PA DHD-0925	CHEV BLUE			99
5/14/2002	13:46		PA YGS-6143	FORD BLUE			17
5/14/2002	13:46		PA DFG-1578	TOYOTA GRAY			79
5/21/2002	13:01		PA DWB-6793	JEEP BLACK			32
5/21/2002	13:01		PA JCK-946	MERCURY GREEN			97
5/22/2002	13:01		PA ELJ-2793	CHEV GREEN			79

YEAR		$430.00
MONTH	11	$55.00
YEAR		$485.00

BOROUGH OF HATBORO

OFFICE OF THE FIRE MARSHALL

414 SOUTH YORK ROAD
HATBORO, PA 19040

MONTHLY FIRE MARSHALL REPORT

Month of : May 2003

	THIS MONTH	YEAR TO DATE
Inspections	33	141
Re-inspections	3	7
Fire Investigations	8	24
Special Service	5	21
Fire Reports Issued	0	1
Permits Issued	1	13
Permit Fees Collected	$25	$525
Fire Report Fees Collected	0	$25
Inspection Fees Collected	$299	$4,492
Miscellaneous Fees Collected	0	$300
Total Fees Collected	$324	$5,342

Remarks:

U & O Inspections 3 for 30 fees $900 for $10,370 reinspt. 1 for 4

	Invest.	Inspt.	S. S.	Total
Stauch	2.40	2.25	25.30	30.35
Thomas	.50	.30	4.00	5.20
Sine	.40	5.35	18.00	24.15
Reading	.35	1.40	2.00	4.15
TOTALS	4.45	10.10	49.30	64.25

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, July 28, 2003

PRESENT

President Clark, Vice President Zygmont, Councilpersons Acker, Ehrsam, Polaneczky, Taggart, and Younglove, Mayor Celano, Solicitor Meyer, Chief Gardner, Borough Manager Pantano, and Superintendent Stauch.

CALL TO ORDER

PRESIDENT CLARK called the meeting of the Council of the Borough of Hatboro to order at 7:32 p.m.

MINUTES

COUNCILPERSON POLANECZKY stated that he noticed that some changes have already been made to the **June minutes**. He said the second sentence, "He said they met to finally interview after he called about interviewing for the Borough Authority about two weeks ago he believes" should be changes to, "He said they met to finally interview *the candidates* for the Borough Authority about two *months* ago he believes." Councilperson Polaneczky explained that he *attempted to contact Mr. Mauer* instead of "he spoke to Mr. Mauer." He mentioned that the sentence, "Councilperson Polaneczky stated that he feels it creates a great conflict of interest when Mr. Lutz, serving on that committee, may deny them there but then feel that he can expend funds on the Fire Department out of the money that's coming out of the Borough Authority, when maybe it's not going to come out of those funds" is a run-on sentence. Councilperson Polaneczky then stated that he didn't question Tom McMackin's capabilities, rather he questioned his *judgments*. Councilperson Polaneczky stated he said the resumes were on file for *over* a year. Finally, Councilperson Polaneczky announced that he *stated*, he didn't ask if he wanted a chance to think about it. VICE PRESIDENT ZYGMONT explained that Councilperson Polaneczky said they talked *with* the Authority, not about the Authority. She also mentioned that, under her committee, she said the *Sewer Authority* not the Water Authority. Councilperson Polaneczky made a MOTION to approve the minutes pending the changes made. This motion was SECONDED by COUNCILPERSON YOUNGLOVE and APPROVED by Council unanimously.

PRESIDENT'S REPORT

PRESIDENT CLARK stated that was made aware of a newspaper article commending **Officer Ottey**. He read the note from Dolly Jones:

> I would like to thank Officer Robert Ottey of the Hatboro Police and the Second Alarmers of Hatboro for the quick response for my husband Roy Jones. He arrived at Abington Memorial Hospital just in time. He had congestive heart failure. He is doing much better now. I'd also like to thank the nurses and staff at Abington Hospital.

BOROUGH MANAGER'S REPORT

BOROUGH MANAGER PANTANO reported that the **grant application** for the **Zoning/Subdivision & Land Development Ordinance** is complete. The grant is being submitted through the State's Department of Community and Economic Development. The funding source is through the Land Use planning and Technical Assistance Program (LUTAP). The LUTAP provides a 50% match for eligible participants. The Borough, therefore, will have to budget $7,500 next year for the match. The resolution authorizing the submission of this grant has been placed on the agenda for approval.

BOROUGH MANAGER PANTANO updated everyone on the **Recycle Center**. The consortium has paid out approximately $140,000 in construction costs already. The consortium has received a grant in the amount of $509,621, which is reimbursable. To date, none of the Borough's money has been put into it. Borough Manager Pantano explained that the Borough may have to pay out some funds until the reimbursement is received, however, the worst-case scenario would be expending $5,000. The bid for the operations of the recycle facility was awarded to Blue Mountain Recycling.

BOROUGH MANAGER PANTANO has received notification from PennDot that the Borough will be receiving an additional $2,453.94 for **winter services** on PennDot roads. The normal allowance for the Borough to provide snow and ice control on state roads is $5,482.44. The additional payment is a result of a severe weather adjustment that have been made as a result of the heavy snow and ice throughout the winter. This will bring our total reimbursement for the year to $7,936.38.

BOROUGH MANAGER PANTANO reported that he met with **Sprint**. They looked at the site at Tanner Park and he confirmed that the maximum area the Borough would consider at that site would be 30' X 30'. Additionally the retaining wall would have to be repaired and the playground equipment would have to be replaced. There were problems with the site behind the police station. The problems include the railroad tracks, overhead wires, and more residential homes than the Tanner Park site.

BOROUGH MANAGER PANTANO announced that **Commerce Bank** has received their Highway Occupancy Permit and is ready to make the main entrance off of York Road. The curbs and sidewalks are being replaced and the radius at the northwest corner of York and Lehman is being changed.

BOROUGH MANAGER PANTANO received a copy of survey information from the actuaries, **Conrad Siegel, Inc.** The survey includes information on insurance coverage such as dental, vision, medical, and prescription drugs.

BOROUGH MANAGER PANTANO was contacted by Brian Mook, Upper Moreland Township Manager, concerning the paving of **Warminster Road**. Upper Moreland will be paving their half of the road from Byberry to Montgomery Avenues within the next several weeks. They requested that the Borough join them so the road could be paved the whole way across. The cost, for the Borough's share, would be $17,000.

BOROUGH MANAGER PANTANO received information from the "Green Future Action Committee" concerning a new **Montgomery County Open Space Program**. The group is asking the Borough to consider passing a resolution supporting the new 150 million dollar bond issue for continuing the County Open Space Program. This item could be placed on the August committee meeting agenda if Council is interested.

TREASURER'S REPORT

TREASURER McKEAN reported that as of 06/30/03 the balances invested in the Pennsylvania Local Government Investment Trust (PLGIT) totaled $2,383,346.90. Interest credited for the month was $1,774.52. Average yield for June was 0.90%.

PAYMENT OF BILLS

PRESIDENT CLARK stated that Council has received copies of the **bills** and **manual check list**. VICE PRESIDENT ZYGMONT asked if the entire 70 tons of stone was used for the pool. SUPERINTENDENT STAUCH said at least 50-55 tons of it was used for the pool parking lot. Vice President Zygmont asked about the Gilmore & Associates invoice for Round Meadow School. BOROUGH MANAGER PANTANO explained that they did a traffic study in order to put the school there and our engineer reviewed it. He added that the intersection of Warminster Road and Byberry Avenue was a part of this review. COUNCILPERSON POLANECZKY asked if they were all reimbursable. Borough Manager Pantano said he is trying. COUNCILPERSON YOUNGLOVE made a MOTION to approve the bills and the manual check list. This motion was SECONDED by COUNCILPERSON EHRSAM and APPROVED by Council unanimously.

MAYOR'S REPORT

MAYOR CELANO stated he is glad to be a part of the promotions of both **John Carr** and **Cam Goold**. He wished them both good luck with their new duties.

SOLICITOR'S REPORT

SOLICITOR MEYER stated that oral argument is scheduled on petition to permit appeal and to confirm award regarding **Carr & Duff v. Hatboro** on August 5, 2003 with Judge Danielle.

SOLICITOR MEYER appeared before District Justice Paul Leo regarding a citation by Fire Marshal Stauch and Code Enforcement Officer Heller against **M&M Realty**. The property owner moved cars and produced report for fire alarm system as agreed. Solicitor Meyer continued the hearing on citation until September 16, 2003 when additional cars need to be removed and a fire system in place. COUNCILPERSON POLANECZKY asked if we were inspecting on a regular basis. FIRE MARSHAL STAUCH said yes. Councilperson Polaneczky mentioned there are cars without tires and cars that are all smashed up. He then asked if they were being removed from the back. Solicitor Meyer stated there are seventy-nine to be removed and some have already be removed.

SOLICITOR MEYER continued to work with the attorney for the developer of the **Belfus** property. A conditional approval for subdivision and land development was granted. The applicant continues to supply requested documentation to both Borough Engineer Solarz and Solicitor Meyer. COUNCILPERSON EHRSAM asked what the timeframe on the Belfus property is before they can start. Solicitor Meyer explained that they have only received a conditional approval. Councilperson Ehrsam stated that that is what they wanted to do so they could begin work as soon as possible. Solicitor Meyer noticed that yesterday the weeds were cut down and explained that he's not sure how long it will take. He said that he doesn't want to give a specific timeframe, although they are about 95% complete. Councilperson Ehrsam asked when they will start on the other one. ZONING OFFICER HELLER said they will start within the next two weeks.

SOLICITOR MEYER stated that the Deed of Easement, Developer's Agreement, and Escrow Agreement for the **Moreland Townhomes** should be corrected before a building permit can be issued.

DEPARTMENT SUPERVISORS' REPORT

CHIEF GARDNER thanked the **Fire Police** for their assistance at the Car Show on Saturday. He stated that everything ran smoothly and their assistance is invaluable.

CHIEF GARDNER congratulated **Sergeant Becker** on recently completing a two-week course. The inter-county detective course was held in Doylestown. Sergeant Becker was involved in this basic investigator's course covering topics such as terrorism and homeland security.

CHIEF GARDNER stated that he was pleased to recommend **John Carr** and **Cam Goold** to be promoted to the rank of Sergeant. He stated that he is confident that they will do a good job.

CHIEF GARDNER extended condolences from the Hatboro Police Department to their colleagues in **Lower Gwynedd**. He explained that he was just informed that a colleague passed away after an incident over the weekend and he is not exactly sure what happened as there is not a lot of information at this time. Chief Gardner stated that the Lower Gwynedd Officer has a family and small children. He mentioned that this incident underscores the dangers of this job at times. Chief Gardner offered condolences and sympathy to his family, friends, co-workers, and then entire community. PRESIDENT CLARK joined in his sorrow, on behalf of Council, for this young man killed in the line of duty.

FIRE MARSHAL STAUCH submitted a report, in advance, which is attached.

SUPERINTENDENT STAUCH submitted a report, in advance, which is attached.

PRIVILEGE OF THE FLOOR

Bill Tompkins, 161 Spring Avenue, stated that he would like Council to take into consideration that there are roads in the Borough, which need paving much more than Warminster Road. He does not

recommend that Council is driven by the decisions of Upper Moreland and stated that he believes it would be in the best interest of the Borough to delay the **Warminster Road paving project**.

COUNCIL/COMMITTEE REPORTS

Public Safety – Mr. Taggart

COUNCILPERSON TAGGART made a MOTION to approve **Resolution 2003-06**, regarding the **emergency operations plan**. This motion was SECONDED by COUNCILPERSON POLANECZKY and APPROVED by Council unanimously.

COUNCILPERSON TAGGART made a MOTION to approve the promotion of **Cameron Goold** and **John Carr** to the rank of Sergeant. This motion was SECONDED by COUNCILPERSON ACKER and APPROVED by Council unanimously. Councilperson Taggart congratulated John Carr and Cam Goold for their promotions to Sergeant. He thanked them for the great work that they do. Mayor Celano swore in John Carr and Cam Goold. CHIEF GARDNER presented Sergeant Goold and Sergeant Carr with their sergeant's badges. He again congratulated them both and said that they definitely earned their badges.

Administration – Dr. Clark

PRESIDENT CLARK made a MOTION to APPROVE the **Authority list of invoices** to be paid. BOROUGH MANAGER PANTANO mentioned that he indicated that the fourth invoice in July was for the CDBG. COUNCILPERSON POLANECZKY asked if this was a revised list. Borough Manager Pantano said yes. Councilperson Polaneczky asked if this would go against reimbursable funds. Borough Manager Pantano said no because it's not the Borough's project. VICE PRESIDENT ZYGMONT asked if it was for 2002. Borough Manager Pantano said it was for the community.

Budget & Insurance – Mr. Polaneczky

COUNCILPERSON POLANECZKY stated that all of Council should be in receipt of the **expense list**. He added that there was a listing of various capital items 2001, 2002, and 2003. VICE PRESIDENT ZYGMONT asked if there were any grants. BOROUGH MANAGER PANTANO said no. Councilperson Polaneczky asked if they were amounts expended beyond grants. COUNCILPERSON EHRSAM asked if the streetlights were considered an expense and if we would be reimbursed for them. Borough Manager Pantano only recalled getting reimbursed for one streetlight. Councilperson Ehrsam asked what the major repair to the trash truck was. Borough Manager Pantano said it was the repair to the bodies of the trucks. Councilperson Ehrsam asked Borough Manager Pantano how he arrived at the 67. Borough Manager Pantano explained that he pulled all of the invoices that he thought would relate. He added that he has all of the invoiced and invited Council to review the invoices to look at the details. Vice President Zygmont asked if these items were ok with our auditor. Councilperson Polaneczky stated that they are capital items and on the Authority's side they have to be capital expenditures. He added that they pulled out everything. Borough Manager Pantano said all of the major items were pulled out. Vice President Zygmont asked if we received the audit this year. Borough Manager Pantano stated that he has a draft. Vice President Zygmont requested a copy of the 2001 audit. Councilperson Ehrsam asked if this was given to the Authority and if they had any feedback. Borough Manager Pantano said yes and no. Councilperson Ehrsam said he could cover this item under his committee.

COUNCILPERSON POLANECZKY stated that he has looked through the **budget** for the year to date. The Borough is about 42% of the way through revenues. He added that most of the collections, fines and contractor's licenses are at budget. Councilperson Polaneczky stated that most fall under or at the 42% line so he feels the Borough is on track. He thanked Bookkeeper Cannon for putting this together.

COUNCILPERSON POLANECZKY mentioned the consideration of the proposal for **bank services**. He explained that he wanted to set the ground rules for the discussion. Councilperson Polaneczky explained that they asked for a proposal for lending services from **Commerce Bank**. The proposal was put together and there was a meeting with about three or four of the Commerce Bank

representatives. With the help of Borough Manager Pantano, we were able to boil it down to twelve different items that were different from the current provider, **Willow Grove Bank**. Councilperson Polaneczky mentioned that this was mentioned at the committee meeting and Mickey Glantz and some of the representatives from Willow Grove Bank have discussed how they might improve their services. Councilperson Polaneczky took the twelve-point list that Borough Manager Pantano made up and faxed it to Mickey Glantz and Betty Bethard. He mentioned that Borough Manager Pantano was aware he was faxing this list on Friday. Councilperson Polaneczky informed Willow Grove Bank representatives that Borough Manager Pantano would make himself available for thirty minutes. Representatives from Willow Grove Bank made an oral presentation and provided a one-page synopsis of what they would provide. Councilperson Polaneczky stated that he consulted the other individuals who handle the money, looked at the proposal, and provided the comparisons. He stated that he does not want a bidding war, however, he does want Council, with the proposals in hand, as well as Treasurer McKean and Borough Manager Pantano to ask questions of the bank representatives in attendance. Councilperson Polaneczky asked the bank representatives to introduce themselves. The following bank representatives then introduced themselves:

- Betty Bethard, Office Manager of the Hatboro Branch of Willow Grove Bank
- Joe Olshefski, Vice President of Business Development at Willow Grove Bank
- John Powers, Senior Vice President and Head of Retail Management for Willow Grove Bank
- Fred Marcell, President of Willow Grove Bank
- John Bethard, Assistant Controller of Willow Grove Bank
- Jim Grey, Vice President in charge of Government Banking from Commerce Bank
- Sharon Hammel, Vice President of Retail Marketing for Commerce Bank
- Claire Signs, Manager of the Hatboro Branch of Commerce Bank.

Councilperson Polaneczky then asked Borough Manager Pantano to explain how this situation came up with the bank. BOROUGH MANAGER PANTANO explained that when they met with representatives from Commerce Bank they tried to identify things they felt they were having problems with or were not satisfied with from Willow Grove Bank. Based on that, they looked at some of the various things and he felt that Commerce Bank was being very accommodating to the Borough, providing them with exactly what they needed from both an investment standpoint as well as an operational standpoint. He stated that, as Councilperson Polaneczky mentioned, there have been problems over the past few years trying to reconcile our account on a monthly basis. He explained that it was very difficult going through the process for Bookkeeper Cannon. As a result it added a lot of time and effort to her work at the end of the month and that was one of the things that really bothered him about the account, with Willow Grove Bank, at the time. Additionally, Borough Manager Pantano had wanted to do direct deposit for quite a while and it was his understanding that Willow Grove Bank was going to charge the Borough for this process. These items prompted Borough Manager Pantano to talk to Commerce Bank representatives. Subsequent to his conversation with Commerce Bank, Borough Manager Pantano stated that some of the things changed. One of the issues with difficulty reconciling the accounts was due to all of the Borough's Willow Grove accounts going through a master account. Therefore all of the items went back to the master account and it was difficult to reconcile all of the other accounts that the Borough has. As a result of the meeting that day, Willow Grove Bank stated that they can now provide the Borough with individual accounts for each account that the Borough would need. There was some discussion about why this couldn't have been done two years ago because for two years Bookkeeper Cannon has been struggling with the difficult accounting portion of it. Borough Manager Pantano said Commerce Bank can provide direct deposit at no charge, which was definitely in their favor. He added that some other issues that they looked at included that at Willow Grove Bank the Borough is required to maintain a minimum of $200,000 as a balance, whereas Commerce Bank does not require that. Commerce Bank provides same day availability on cash and all U.S. checks. Borough Manager Pantano explained that he doesn't know if Willow Grove Bank can provide that or not since it was not in their proposal and he was not able to get that answer immediately. Commerce Bank would provide checks at no charge. Willow Grove Bank does not at this point. Borough Manager Pantano pointed out that there were some other minor issues, some of which he was not able to clarify this with Willow Grove Bank in the short time period that he had. These included actual banking online, which currently we can only look online but he's not sure about transactions actually

taking place online. Commerce Bank includes banking hours on Sunday as well as on Saturdays when their drive-thru windows are open until 8:00 p.m. Willow Grove Bank does not have drive-thru windows and they close at 12:00 p.m. on Saturday. Borough Manager Pantano explained that occasionally both Colleen Cannon and Lynn Hartzell do work on the weekends and they would benefit from the extended weekend hours. He mentioned that that's a minor consideration too. One other item was that Commerce Bank provides a Government Services Department, strictly to deal with government accounts. Willow Grove Bank has a General Business Department but it's not for specifically dealing with governments. Borough Manager Pantano stated that these are some of the issues that he looked at and he tried to summarize the information for Council so they could review the materials prior to the meeting for consideration. VICE PRESIDENT ZYGMONT asked if all of the items that Borough Manager Pantano stated that Commerce Bank provided were only for the first year or would it be for the account for the entire time. Jim Grey stated that a lot of companies out there give you something for six months or a year, however, Commerce Bank has been dealing with government accounts for thirty years, under the same name and this offer applies to all of their customers under a government name. He added that it is not a one-year bait and switch type of thing. Jim Grey stated that Commerce Bank would be willing to enter into a multi-year agreement, should Council wish to do that. They have done that with other customers and would love nothing more than a multi-year commitment. He explained that he provided references whom Commerce Bank has had a relationship with for ten-years or more and nothing changes, other than the products which get better. He explained that the web-browser is changed periodically and the online banking product is a fabulous state of the art product. He reiterated that they do not change the deal. Councilperson Polaneczky asked if Willow Grove Bank would be able to guarantee whatever deal Council came up with here for multi-years if the Borough signed a contract with them. Fred Marcell said yes. Councilperson Polaneczky stated that there is a difference in the interest rates that have been proposed. They have had some difficulty determining how they calculate the interest rates. He stated that he is in accounting and finances, etc. and he knows that there is float, compensating balances, sometimes there is an offset for expenses that you might incur rather than having service charges where they use a portion of the balance on hand as an offset so they don't charge you fees. Councilperson Polaneczky asked how Willow Grove Bank and Commerce Bank calculate their interest rates because he is having a hard time determining how they came up with some of the interest we got and how we might come up with some of the interest using their specific bank's services. Fred Marcell stated that this was an item discussed with Borough Manager Pantano. Willow Grove Bank will calculate the interest on 50 basis points above the 90-day Treasury Bill. He explained that Willow Grove Bank would provide Borough Manager Pantano with a spreadsheet including the daily calculations, including balances at the close of every business day. Councilperson Polaneczky asked if that was from the day that the deposit goes in. Joe Olshefski said yes, the day of deposit and/or the day of withdraw, Willow Grove Bank will calculate the interest on the full balance – there is no offset. Councilperson Polaneczky asked if that meant there was no float, offset, or compensating balances. Joe Olshefski said that was correct. Jim Grey said Commerce Bank pays interest based on 100% of the ledger balance in the account. He added that there is no float or 10% reserve required. Jim Grey stated that there are no non-interest bearing balances at Commerce Bank. You earn interest on every dollar and every tax payment that's deposited from day one. All accounts are equal whether they have $2,000, $100, or $100,000 the same rate is applied to each account. Councilperson Polaneczky noticed that there is a required minimum for interest and asked they aggregate all of the accounts and if all of the accounts are added up and if they are over $200,000 then the Borough receives interest and if they are under $200,000 then the Borough would not be eligible for interest payments. Joe Olshefski explained that they presently discussed an alternative with Borough Manager Pantano. He said the first time they heard of an issue with the problem with the account was in the newspaper article after the last council meeting. He stated that they had no idea that there were any concerns because they were never brought to Willow Grove Bank. Joe Olshefski stated that they will aggregate the accounts with no minimum for however many accounts the Borough has. If there is $100 in one account and $100,000 in another account then they will aggregate them and they will get the same 50 basis points over the Treasury Bill on each and every account including the pool. Councilperson Polaneczky asked about the same day availability on cash and checks. Jim Grey stated that they

pay interest on the ledger balance on checks that are deposited at Commerce Bank written by a foreign bank, meaning another bank not necessarily overseas, there is a one-day availability. Therefore if you deposited a foreign check today then it would be available tomorrow, however, you earn interest on it today. Councilperson Polaneczky noticed that the proposal said same day availability on cash and U.S. checks and he explained that he wasn't quite sure what Mr. Grey meant by foreign checks. Jim Grey stated that there is a same-day availability on federal wires, cash, and checks written on a Commerce Bank account. Councilperson Polaneczky asked if a wire from the tax collector would be same-day availability. Jim Grey said yes because it is considered cash. He further explained that if check from another bank was deposited then the Borough would earn interest on it the same day but it would not be available until the next day. Borough Manager Pantano said Willow Grove Bank representatives mentioned that they were not aware of problems with the single account but he wants to make it clear, from the Borough's standpoint, that when they sat at the meeting and discussed this Willow Grove Bank the Borough was told that that was the way they had to do it. He knows that the Willow Grove Bank representative is saying that that was not the case but he knows that it was because he sat with Bookkeeper Cannon and discussed how it would be handled. Borough Manager Pantano reiterated that that was what they were told and that was the impression that they had to go with. Councilperson Polaneczky stated that he noticed that Commerce Bank has online banking and access to online information and he asked if Willow Grove Bank has the same capabilities. Betty Bethard said yes, Willow Grove Bank can do that. Councilperson Polaneczky asked if we could do online banking and transferring between accounts. Betty Bethard said yes. COUNCILPERSON EHRSAM asked if the Borough can view checks, which have been paid. Councilperson Polaneczky asked if they could view checks that have been paid and transfers the same day. Betty Bethard said yes. Councilperson Polaneczky stated that the hours of operation and convenience of parking do not really impact his consideration of either bank. Councilperson Polaneczky explained that it appears that both banks have the same employee benefits packages that they offer employees. He asked about direct deposits and if there was the ability to directly deposit employee checks at Willow Grove Bank and if so, would it cost the Borough money to do so. Joe Olshefski stated that when the issue was first presented to Willow Grove Bank, and currently, they do not have direct deposit in house. They use a third party source for payroll services that they present to all of their clients. They are processed through the third party payroll services. In house they do not have the ability to do direct deposits. Councilperson Polaneczky asked if the third party would charge. Joe Olshefski stated that there is a fee for payroll service. Councilperson Polaneczky asked if we would have to be in a payroll service to do the direct deposit. Joe Olshefski said yes, Payroll Services would take care of the entire Borough's payroll. Councilperson Polaneczky stated that that cleared up most of his questions. He added that some of the observations that have been brought to Councilperson Polaneczky, so that everyone is aware, and he knows that there was a newspaper article on this, include moving two or three years ago from Hudson United Bank. At that time we just moved everything over after reviewing everything, and speaking with our treasurer, we moved everything over to Willow Grove Bank for a better opportunity. Council did not offer Hudson United Bank a chance to counter that proposal, however, they felt it was right in this case to offer Willow Grove Bank the opportunity to come and present what they had to offer. He added that Council does generally work with the Tax Anticipation Note with our bank of record. He was not enamored with the fact that they did not receive a proposal from Willow Grove Bank. He restated that Willow Grove Bank did not bid on the Tax Anticipation Note this year. Councilperson Polaneczky stated that he knows that Hudson United Bank ended up getting it and that Commerce Bank did bid but they went low so we didn't take it. Councilperson Polaneczky said he does not have any other questions or observations. COUNCILPERSON YOUNGLOVE said he understands that Commerce Bank has a separate department for government services and Willow Grove Bank does not. He asked Borough Manager Pantano what, if anything, that meant for us. Borough Manager Pantano stated that Bookkeeper Cannon has questions from time to time relating to banking services and how certain things relate to required auditing as well as IRS information. According to Borough Manager Pantano, Bookkeeper Cannon felt more comfortable that there would be someone from the bank strictly for government services who could address specific concerns relating to government instead of just general business type activities. Councilperson Younglove asked if those questions come up on a regular basis. Borough Manager Pantano said they are not

on a regular basis but they are throughout the year, especially when it is time to record fact information. PRESIDENT CLARK asked Borough Manager Pantano if he felt that we were being offered comparable banking services. Borough Manager Pantano said comparable is a difficult word to use. He said they are comparable, yes, but different as well. He added that based on his analysis and what they have looked at and experienced in the past few years, he would like to try Commerce Bank. Councilperson Polaneczky told Treasurer McKean that he didn't want to put him on the spot because he knows his position but he knows that he has been very clear with his unhappiness with PLGIT. Councilperson Polaneczky stated that they are done with them and they want to pull the accounts under one. He asked Treasurer McKean if he had anything else to add about the services or if he had any comments. He then asked if Treasurer McKean would prefer not to comment. TREASURER McKEAN stated that he does not mind commenting. His only concern is the Tax Anticipation Note. He knows that Commerce Bank did bid and Willow Grove Bank did not bid but he asked Commerce Bank representatives if they would consider the relationship when they bid the Tax Anticipation Note or do they bid all Tax Anticipation Notes the same whether they have a relationship or not. Jim Grey said no, they do not bid all of the Tax Anticipation Notes whether they have a relationship or not. They tend not to bid where there is not a chance for a deposit relationship. Jim Grey said they do the bidding as an accommodation to good deposit customers and at this time, the reason they bid was because they were opening a new branch in the Borough and they wanted to accommodate Council by making that proposal. Treasurer McKean asked if they anticipate being aggressive next year on the Tax Anticipation Note. Jim Grey said definitely, Commerce Bank is very aggressive. Treasurer McKean asked if Hudson United Bank would be a problem. Jim Grey said no as that is the only bank that he lost to. Councilperson Polaneczky asked Solicitor Meyer had any comment. SOLICITOR MEYER stated that it is purely a selection of services from one bank over another. Fred Marcell said he knows Commerce Bank well and considers them to be a fine financial institution. He thanked the Borough for the privilege of being their server over the last two years. He added that there are situations that he can't compete with but he would like Council to take into consideration Willow Grove Bank and their involvement with the community. Fred Marcell said they should look at it from the standpoint that they live here, they work here, they play here, and they do a lot for the community from the standpoint of giving back, volunteering, grants, etc. and they have been doing that for five or six years. He believes that this includes the library, YMCA, schools, seniors, playgrounds, etc. Fred Marcell mentioned that he's been the chairman of the YMCA for the past two years and has been involved with the YMCA for over seven years. He added that the bank has contributed various dollars and time to the local library and things of that nature that he believes to a great degree adds to the commitment that Willow Grove Bank has made to the Borough. He wished that Council would take that into consideration when they are thinking about how to look at this situation because Willow Grove Bank is a community member. Fred Marcell stated that he realizes that Commerce Bank is new to the area and he knows that they do a good job because he knows a lot of their people but he believes that Willow Grove Bank has done a good job and will continue to do a good job. Councilperson Ehrsam asked Commerce Bank representatives what the bank's role in community events is. Jim Grey said they are very involved in the communities where they have branches. They believe in community partnership because it is good for the community, the municipality, and the bank. They get involved with all kinds of sponsorships and they primarily sponsor events that municipalities favor. They have meetings in September where they review requests for corporate sponsorships. He added that they do concert series, fireworks events, etc. Sharon Hammel said there are various events but the concert events are the most popular. She added that Commerce Bank's commitments to the community and through the donations are not just in dollars but also they have their people represented at all of their events. It is part of the manager's responsibility to get involved to get involved in the community. She mentioned that obviously since they are new they have only done so much in this new portion because the bank is so new to the location and they are looking at extending their community services immensely. Claire Signs stated that she wanted everyone to know that she is on the Board at the YMCA as well. Although she is new with the bank she was born and raised in Hatboro. Her parents have lived in Hatboro for over 55 years so she knows personally what kind of things need to be contributed to the community. She said that she would be there along side of Commerce Bank with all of her heart. Claire Signs mentioned that she has been approached already and they definitely have things allocated for next

year. Fred Marcell said it is just a thought and he believes that what Claire Signs said is true but Willow Grove Bank has been doing it for seven years so it's been ongoing. Councilperson Polaneczky stated that he would like to thank everybody for all that they do for this community. He added that there were four bank sponsors at the golf outing today including Joe Tryon from Hatboro Federal Bank and a representative from the new Wachovia. Councilperson Polaneczky stated that he would like to look at it from and operations an efficiency standpoint. At this point he is inclined to propose the resolution for banking services at the next Council meeting next month. In the meantime he will sit with Borough Manager Pantano, Treasurer McKean, President Clark, and Bookkeeper Cannon and he is inclined to accept whomever Borough Manager Pantano and the internal staff determine is the banking service that will provide the best and most efficient service to Hatboro. Then he will propose whoever that is at the next Council meeting. Councilperson Polaneczky stated that he would not accept any changes or amendments to the proposals. What Council has in front of them, plus the meeting with the internal staff, will be the information used for determining the bank of choice. He said he does not want to hear that someone wants to increase one basis point. The information they have is the information they will base their decision on. VICE PRESIDENT ZYGMONT asked what exactly "government services" includes. Jim Grey said at Commerce Bank they are very involved with government banking – it represents 20% of their business. They have hired local government experts to help out with a partnership with the branch to take care of the customers. It has to do with regular calls verifying that things are working the way they were proposed. Since he deals exclusively with other municipalities, he is able to take ideas from one municipality to the other. He is a former township manager and has been doing government banking exclusively for sixteen years. One of the things he really enjoyed about being the township manager was the ability to call his fellow colleagues in other townships and ask them questions about how things work. Jim Grey explained that they would borrow ideas from one another. He stated that the services themselves are designed so that there are no fees involved with the banking and there is interest paid on all accounts based on the Treasury Bill rate, which is the incentive for government services. Vice President Zygmont asked what Willow Grove Bank could provide. Fred Marcell stated that they do not have the government services to the extent that has been presented. They do have a business development representative who works closely with the auditors. When an issue is brought to their attention, they would send out the Vice President of Willow Grove Bank to discuss the issues and provide additional insight. Councilperson Polaneczky repeated that he would like to meet with President Clark, Borough Manager Pantano, Treasurer McKean, and Bookkeeper Cannon. COUNCILPERSON TAGGART asked if this had to be taken care of by a certain date. Councilperson Polaneczky stated that he is inclined to take the recommendation of the internal staff and then they can vote on the resolution at the next meeting. He is not inclined to any further discussion, as he believes that we have the numbers and at this point, now that we have all of the answers to all of the numbers, he would like to hear what the internal staff has to say without eight million representatives of the bank sitting here. He felt that the internal staff might not feel as though they could speak freely in that situation. Councilperson Polaneczky stated that we should be able to go out with the approvals at the August Council meeting. Vice President Zygmont if they would get feedback on what the internal staff discusses. Councilperson Polaneczky said absolutely and then asked Councilperson Taggart is that answered his question. Councilperson Taggart stated that his question was do we have to have this done by a certain time. President Clark asked what this decision does or does not do in terms of initial PLGIT changes. Borough Manager Pantano stated that that is his concern since we are starting to get into the budget process now. He mentioned that once he gets into this he works closely with Bookkeeper Cannon and he takes up a lot of her time. She will have to generate a lot of reports and look up a lot of information so if there was going to be a change he would prefer it to be this month so it is all taken care of by budget time. He explained that if Council couldn't make a decision then we would have to deal with that but to remember that we are going through the budget process and if we change next month it will be in conjunction with the other things going on to. This would make it that much more difficult. Vice President Zygmont stated that she would like time to think about it. Councilperson Polaneczky stated that based on some of the answers that they were able to discern from Willow Grove Bank, that perhaps they were unable to discern from the meeting, they should be able to sit on it, meet next week, and then make the recommendations based on the internal staff.

He said that it is only because they can't vote at the next Committee meeting that they will have to wait until the next Council meeting. Councilperson Polaneczky mentioned that if he has to put in an extra day or two with the budget then he would. JOE READING stated that unless he misunderstood Borough Manager Pantano, his recommendation with his staff was that they go with Commerce Bank. He appreciates the thought but is concerned about Borough Manager Pantano. Councilperson Polaneczky stated that actually his staff is not here. He works closely with Bookkeeper Cannon and he wants her input. Councilperson Ehrsam asked how they received the first proposal. Jim Grey said they came in and met with Borough Manager Pantano, Bookkeeper Cannon, and Tax Collector Emig and talked about what they were doing with their banking services and exactly the way things worked such as cash flow. They also talked about idea of what they liked about the system and what they didn't like about the system. Councilperson Ehrsam apologized and said what he thinks he is asking is that Council received two proposals and he asked how the first one was given to Council. Jim Grey said it was presented in a meeting with the Borough Manager and Bookkeeper Cannon. They actually handed it to Borough Manager Pantano and Bookkeeper Cannon and reviewed it with them. Councilperson Ehrsam said it was the Hatboro-Horsham School District proposal, not the Borough of Hatboro. Jim Grey apologized and stated that there was a grievous error made by a clerk in the proposal department. He explained that it was after they had met to present the proposal. There was an unfortunate incident when Borough Manager Pantano wanted to give everyone on Council original copies of the proposal, not photocopies. As a result, he asked Commerce Bank to provide seven bound copies for them. Jim Grey said he called the cash management representative about the proposal for Hatboro Borough. He added that it was a young gentleman who meant well, and at the time Commerce Bank was talking to the school district, he heard Hatboro and he unfortunately sent out the Hatboro-Horsham School District's proposal to Hatboro Borough. Jim Grey stated that he's been in contact with the school district to apologize. This was an unfortunate error and it won't happen again. They have had conversations with this young man who is generally a good worker. Councilperson Polaneczky stated that he believes Tax Collector Emig has already switched to Commerce Bank. Jim Grey said that was correct. Councilperson Polaneczky stated that Council would take comments but he would not allow questions specifically to bank representatives. Mickey Glantz stated that he is the one that raised the comment two weeks ago at the Committee meeting about changing over to Commerce Bank. He said there is a certain word in his vocabulary called loyalty. He said Commerce Bank is a great bank and they have done a wonderful job being on that corner. He said loyalty is a very important word and it's a very important word in Hatboro. He said that the Car Show this past weekend was a showcase of Hatboro and we had it because of Willow Grove Bank and the money they contributed to the Chamber of Commerce. It will be because of Willow Grove Bank that the YMCA will be able to showcase Hatboro next year. It was because of Willow Grove Bank that they library wanted an addition. This money didn't come from their taxes or the residents; rather it comes from people like Willow Grove Bank. Mickey Glantz stated that Commerce Bank is a great bank and he hopes they are an even better bank and they back off of this to show what loyalty means. Mickey Glantz stated that Willow Grove Bank is loyal to this community. He said, to the Commerce Bank representatives, show me loyalty to the community and I will be with you 100% but until such time our loyalty belongs to Willow Grove Bank and he hopes that Council consider this. He restated that loyalty is very important. President Clark stated that the YMCA has brought in a lot of money through registrations and other places as well therefore it was not just Willow Grove Bank. Mickey Glantz said he knows that. Councilperson Polaneczky stated that Council would make the resolution without discussion at the next Council meeting.

Parks, Recreation, & Community Affairs – Mrs. Zygmont

VICE PRESIDENT ZYGMONT stated that she hadn't really known that this would be on her agenda but Borough Manager Pantano told her tonight that they were supposed to vote on this. Vice President Zygmont made a MOTION to vote on the **pool passes**. PRESIDENT CLARK stated that he doesn't think Council should vote on something that was not previously discussed. BOROUGH MANAGER PANTANO stated that he was under the understanding, based on the committee meeting, that Vice President Zygmont wanted full Council to vote on this. If that is not the case then he will take it off the agenda and go by whatever past practice was. He believes this was pool

passes for the members of the employees and their families for the police, public works, and the office staff. Vice President Zygmont mentioned that she went back to look and it is in the status of the public work's contract. Borough Manager Pantano agreed and explained that it does say family memberships in the contract too. COUNCILPERSON TAGGART said the Fire Company should get the free pool passes as in the past. Borough Manager Pantano said they would get it too. COUNCILPERSON POLANECZKY stated that it's not in any agreement with the Fire Company, rather it's past established practice as it is with the office staff as well. Councilperson Polaneczky stated that he would feel more comfortable if it was put in writing so there was no misconception about it. COUNCILPERSON YOUNGLOVE stated that he doesn't think they have to vote on it to get it in writing as to what the policy is. Councilperson Polaneczky stated that he is fine with that. COUNCILPERSON EHRSAM stated that he believes that Vice President Zygmont was trying to get verification as to what the past practices were. President Clark told Borough Manager Pantano to put together a policy. Vice President Zygmont stated that all we really need is something for the office staff. Councilperson Polaneczky said it should be for the Fire Company too.

Public Relations – Mr. Younglove
COUNCILPERSON YOUNGLOVE stated that he has nothing to report at this time.

Public Works & Public Properties – Mr. Ehrsam
COUNCILPERSON EHRSAM explained that Superintendent Stauch has compiled a list of all of the roads within the Borough. Warminster Road is on that list and it would really be $17,000 for our share of the project. Then we would add roads such as Barbara Road or the poorest roads in the borough. He stated that there may be a $1,000 or $2,000 difference but that was already in the budget. There is $2,500 already allocated. COUNCILPERSON ACKER asked if it was an overlay or milling. Councilperson Ehrsam said it's both milling and overlay. BOROUGH MANAGER PANTANO explained that they are using the recycled technology where the mill the road, recycle the product, and then put it right back down. Councilperson Acker stated that it would be a moot point if it were just an overlay. COUNCILPERSON POLANECZKY asked where on the prioritized ranking would Warminster Road have been if Upper Moreland did not approach us. He admitted that he lives back on Spring Avenue and he understands where Mr. Tompkins is coming from, especially with the Sewer Authority coming down that road, knocking out every pothole. He wondered if we are jumping ahead of certain other projects that are more demanding because we have some really nasty potholes. SUPERINTENDENT STAUCH stated that he thinks Spring Avenue was eliminated until the Sewer Authority was finished their project. If it were done now then the Sewer Authority would be tearing up the road. Councilperson Polaneczky stated that some of the roads such as Madison are also in need of repair. Borough Manager Pantano explained that the other problem is that if Upper Moreland does only half of the road it is really not a good construction practice to do that. Councilperson Polaneczky stated that it's only a small portion from Byberry to Montgomery. Vice President Zygmont asked if it was from Mill Road to Byberry Avenue. Borough Manager Pantano said no because that is the state's portion. Superintendent Stauch stated that it's really from Byberry to Moreland. Councilperson Acker asked if they repaved that road. Councilperson Ehrsam stated that it's been about ten years. Borough Manager Pantano stated that it's been a little over ten years and the last time they did the project it was a joint project with Upper Moreland. Councilperson Polaneczky mentioned Warminster Road being widened. Superintendent Stauch explained that Warminster Road was widened. Councilperson Polaneczky stated that it was widened on Upper Moreland's side. Councilperson Ehrsam made a MOTION to consider the **Warminster Road paving project**, in conjunction with Upper Moreland, from Byberry Road to Moreland Road, allowing another $7,000+ to be dedicated to another road. This motion was SECONDED by COUNCILPERSON YOUNGLOVE and APPROVED by Council unanimously. Councilperson asked if there were any other paving projects already scheduled. Councilperson Ehrsam said no. Councilperson Polaneczky asked if this was just other money available in the budget. Councilperson Ehrsam explained that the money includes $25,000 from the Authority. Councilperson Polaneczky asked if there were any other roads earmarked at this point. Borough Manager Pantano said no. Councilperson Acker asked for Borough Manager Pantano contact Brian Mook, Upper Moreland Township Manager, to make a list of the roads, which we share. This would allow us to make long-

range plans. Borough Manager Pantano agreed and said he was talking about it earlier with Superintendent Stauch as they were driving around looking for the third road.

Zoning, Development & Historical Preservation – Mr. Acker
COUNCILPERSON ACKER stated that at the committee meeting they discussed the aspects of the **comprehensive plan** and having entered into that, grant money, to help offset those costs, must be applied for with LUTAP (Land Use Planning & Technical Use Program). This will also require that all of our codes are up to date. Councilperson Acker made a MOTION to approve **Resolution 2003-05** for a technical assistance grant. This motion was SECONDED by COUNCILPERSON YOUNGLOVE and APPROVED by Council unanimously.

COUNCILPERSON POLANECKZY asked President Clark, once again, if they could discuss a procedure whereby we could approve the **committee meeting minutes** so they could be posted on the **Internet**. Since our Solicitor was not aware of any townships that approved the committee meeting minutes, he took the time to go ahead and look at the Montgomery County website. Lower Providence does not have it. Lower Gwynedd does have it. They post their workshops/committee meetings as well as their regular meetings. He stated that he did not see if they were approved or not. Councilperson Polaneczky stated that he also looked at New Hanover. COUNCILPERSON YOUNGLOVE stated that he has asked NetCreative to give a cost analysis since there is a cost involved. Councilperson Polaneczky stated that he was just asking to see if we could discuss it. COUNCILPERSON EHRSAM stated that this was part of the agenda when getting the Internet. Councilperson Younglove stated that there is still a cost involved. Councilperson Polaneczky stated that if it was as simple as scanning them in then he knows that Mark Vasoli would love it because he is at Borough Hall all of the time giving money for copies. Councilperson Polaneczky stated that if it seems not to be too expensive then he would like to see it done.

PRIVILEGE OF THE FLOOR
Bill Tompkins wanted to go back to the discussion about **paving**. He believes the Sewer Authority is going to do some repaving on the corner of Spring Avenue where they are tearing it up. He's not sure if it makes sense to contact the Sewer Authority to again make use of the fact that the trucks will be in that area. This would help save money on a paving project. He's not sure of the distance but is sure that they are doing work on that one corner.

Bill Tompkins asked if anyone could make some efforts to get the **crosswalks** repainted. They are pretty faded and it would be beneficial if they were painted before the schools were opened.

Bill Tompkins stated that there is a **privilege of the floor** on the agenda to talk about the meeting items tonight but there is a lot of information missing. It is tough for the audience to comment when they don't even know what the resolutions are about. If there are not committee meeting minutes and they don't have text on the agendas then it's hard for the audience to give their input. He suggested either expanding the terminology on the agenda or posting the committee meeting minutes thereby making them more readily available. PRESIDENT CLARK explained that these items are indeed discussed at the committee meetings. BOROUGH MANAGER PANTANO stated that the committee meeting minutes would not be ready between the time of the committee meeting and the time of the council meeting.

Mickey Glantz stated that President Clark commented on the wonderful gymnastics tournament that will be held in Hatboro next year. He added that it is people like Willow Grove that were contributing for the last five years that kept the **YMCA** alive to be in this position for next year. PRESIDENT CLARK asked to please not be misunderstood, as he didn't say that they didn't contribute rather they are one contributor.

Mickey Glantz stated that Bob John had a fantastic camera for **videotaping**. He stated that he is not trying to embarrass anyone and asked why we are not proud enough to want have our committee meetings and council meetings on the television. COUNCILPERSON TAGGART said it costs

money. Mickey Glantz asked if it cost money to have someone come in to videotape the meetings. Councilperson Taggart said they would have to have Comcast upload it. COUNCILPERSON EHRSAM said it is done here. Mickey Glantz stated that everything is done in-house and the Boy Scouts have done everything. Councilperson Taggart asked if they have volunteered to do it, as we cannot volunteer them to do it. COUNCILPERSON POLANECZKY stated that we decided two years ago that we weren't going to televise the meetings because it would probably increase the length. Mickey Glantz believes that there are a lot of people that are interested at what we do in Hatboro and it would benefit the community and the residents that do not come out. Councilperson Polaneczky stated that he does not necessarily disagree. Ron Battis said that if the residents want to get involved then they could come to the meetings. He would rather see the residents getting involved instead of watching it on television. He personally doesn't think it should be on television.

Thom Jorrett said on behalf of the **Hatboro Pool Parents Association** he would like to thank Vice President Zygmont for the contribution she made to the Hatboro Pool this year. He thanked Vice President Zygmont for the job she has done this year. He said the water is warm, people enjoy the pool, and the kids get a great and wonderful experience out of that. VICE PRESIDENT ZYGMONT said thank you and mentioned that she has enjoyed working with the pool parents. She stated that she appreciates the comments. Robert Seuss stated that the pool is 110% better. He said it used to be very cold in the water. He mentioned that the pool provides a good activity for the kids and he would like to thank Vice President Zygmont very much. Robert Seuss stated that if there is anything they can do as pool parents, such as putting a bond up, to help expedite getting a grant for the pool please let him know. Brian Meck stated that he really doesn't want to break up the love fest but he thinks that the pool parents could teach the manager there to smile and teach the lifeguards how to blow the whistle and how to explain what the kids are doing wrong. He said he was a lifeguard there for seven years and feels as though the pool is an embarrassment. Brian Meck stated that he has never seen the memberships so low and has never paid so much for a pool so bad. He thinks that the atmosphere, including the snack stand selling lollipops and pork roll sandwiches is a disgrace. Vice President Zygmont told Mr. Meck that he has to realize that with the concession stands prior there was a private person running it. Brian Meck said that was just for a short period of time. He added that Vice President Zygmont has not been at the pool long enough to have these opinions. Vice President Zygmont stated that she has been here for a year and a half and she has poured her heart and soul into the pool and the projects. She was trying to explain that with the private person running the snack stand before, the Health Department did not have to approve that person. She only gets so much money and she is trying to get contributions. Vice President Zygmont stated that in a year and a half the water is warm, she has $10,000 in the improvement fund, and she has tried. Vice President Zygmont agreed that there is a lot of work to do but told Mr. Meck that he has to understand the concession stand issue. They have worked with what they are limited to. Brian Meck stated that the concession stand was privately owned for a very small amount of time as far as the history of the pool is concerned. He asked if there was a reason that they don't attend grant workshops, when they are turned down for a grant, to learn how to get grants. Vice President Zygmont stated that Borough Manager Pantano is in charge of that. Brian Meck said they could get more involved in that process. Vice President Zygmont stated that she has tried but she does have a family and she has been at the pool for the last year and a half. At the last meeting when President Clark stated that Borough Manager Pantano is supposed to manage, Vice President Zygmont thought about it and realized that he was right, he is the manager and she should not have to leave her home to run to the pool when there is a problem. Vice President Zygmont stated that Borough Manager Pantano is the manager and he gets paid to manage. She said that they are criticizing her and there is surely a lot of room for improvement but all she can say is that she tried. She added that the memberships are not down from last year. Mary Wheeler said that the fact that the pool is warm is nothing to be applauded for. She said that's the way the pool should be. Vice President Zygmont said that it wasn't for the last twenty years. Mary Wheeler said that it doesn't make it something that she should get a pat on the back for. They pay to go to the pool and they should be able to swim in it and no one should get a pat on the back for that. She asked what the status of the new pool manager. Vice President Zygmont said it is Jeff Fellman and Borough Manager Pantano can answer that. BOROUGH MANAGER PANTANO stated that he's not sure

what Mrs. Wheeler meant by the status but they were able to hire a manager that could be there the majority of the time that they would like him to be there. Mary Wheeler asked what that amount of time is. Borough Manager Pantano said it would be three to four days per week. Mary Wheeler asked how many hours it was each day. Borough Manager Pantano said it varies depending on his other schedule. Mary Wheeler asked who is in charge when Jeff Fellman is not there. Borough Manager Pantano said the assistant manager is supposed to be in charge when the manager is not there. Mary Wheeler said that people have only seen him once or twice so she wonders when he is there and when he is managing. Borough Manager Pantano repeated that they would like to have him there three or four days per week but it can't be guaranteed because he does have other commitments. They are trying to get him to be there as often as he can be there. He stated that he doesn't know what else to do other than closing the pool. Mary Wheeler said no one wants to see the pool closed but they want to see someone who cares about the pool. Borough Manager Pantano said he doesn't want to see it closed either and he agrees with wanting to get someone who cares about the pool. Mary Wheeler said the bathrooms are disgusting and there are no paper towels. She asked if he was there twenty hours per week or thirty hours per week. Borough Manager Pantano said he is there about eight hours. Vice President Zygmont said if there are no paper towels then you should notify someone at the desk. Mary Wheeler said there was no one at the desk at the time. Ten people could walk in there and no one would charge them. Mary Wheeler explained that they don't understand what is going on there on an everyday basis. She doesn't feel that someone can pour their heart into the pool unless they are someone that goes to the pool. She asked why someone would care about it if they have a pool in their backyard. Vice President Zygmont said she doesn't have a pool in her backyard. She said that she cares about it because it is her job. Mary Wheeler asked if she cared that there were not paper towels and the bathrooms are disgusting. Vice President Zygmont stated that that was the manager's job. Mary Wheeler asked if Vice President Zygmont doesn't care that she just passes it on to the borough manager. Vice President Zygmont said no she doesn't. Thom Jorrett said that the reason the pool is in the condition it is because for the last twenty or thirty years the long-term members of this Council have let it run down. He said that those members are the same people who are so called *Hatboro Republicans for Responsible Government* and they know who they are. He added that that is why the pool is in the condition it is in. He thanked Vice President Zygmont because she is the only one who is trying to turn it around. Thom Jorrett said that they could complain about the paper towels all that they want but they should contribute, bring some, go ask someone, and make an effort. Jeannie Joyce said they are all members and they all have kids on the swim team. They contribute their time, their money, and their memberships. President Clark said if there are comments about the pool then they should attend the committee meeting.

Ron Battis said he appreciates that Vice President Zygmont's heart and soul is in the pool, however, the people who made the pool water warm risked their lives doing it because it was not in their job classification. The failure to negotiate with **public works'** employees, who came within ¼ inch of falling in the pool on backhoes so that you could get new piping, should be brought up along with your heart and soul being in the negotiations. COUNCILPERSON POLANECZKY read:

> The Department of Labor and Industry Board certified review of specifications and charges to prosecute unfair labor practice was denied because local 830 were not certified.

He said if you want to know what he is talking about then he can ask him for a copy of this and he will give it to Mr. Battis. Ron Battis said that any two people could sit down and negotiate a contract. Councilperson Polaneczky said not when one deems to be a representative when they are not recognized by the state.

Mickey Glantz stated that President Clark left early two weeks ago when he made a comment. PRESIDENT CLARK apologized. Mickey Glantz said he would repeat the comment made to Vice President Zygmont. He again asked if she would be against a group of parents getting together to form a committee. He hears the complaints then he wants them to step up and do something about it. He pointed to people in the audience and said they are **swim parents**. Mary Wheeler said she is a swim parent too. Mickey Glantz said they are not responsible for the manager. He suggested that they form a committee and work with Vice President Zygmont and then it will be great next year.

VICE PRESIDENT ZYGMONT said it would be wonderful if some people came up with some positive ideas and not always the negative. Patsy Meck asked if the pool manager was getting paid. Vice President Zygmont said yes. Patsy Meck asked how Borough Manager Pantano could say, "If he comes he works for eight hours." BOROUGH MANAGER PANTANO said he gets paid for the time he puts in. Patsy Meck asked if he had a clue how many hours he puts in or what he's been paid. Borough Manager Pantano said yes he knows how much he gets paid and they previously asked how long he's going to be there and he said that he couldn't tell them that because the schedule changes from week to week. Mary Wheeler asked how many hours, on average, he would work. Borough Manager Pantano said when he was hired he was told that he should work three or four days per week. Patsy Meck asked if he has been. Borough Manager Pantano said he has been there for two weeks. Mary Wheeler said that he should know his hourly rate off the top of his head and how many hours he works per week because he probably has to punch them in. Borough Manager Pantano said he knows what he gets paid but he doesn't enter the numbers because the bookkeeper does. He said he does not review the payroll before it goes in for payment. Mary Wheeler asked what the average number of hours Jeff Fellman works. Borough Manager Pantano said he would have to get the schedule. Jeannie Joyce said of their kids go to the pools and you think there is someone managing but there isn't. Borough Manager Pantano said there is a problem with the assistant managers then. He added that there should always be someone in charge, either the manager or the assistant manager. COUNCILPERSON POLANECZKY asked if Borough Manager Pantano was sending Viki Connolly to the pool. Borough Manager Pantano said she is sent there occasionally. Mary Wheeler said if someone is sent to check up on the pool she wonders if he is saying that he doesn't have faith in the assistant managers. Borough Manager Pantano said that is correct and asked what they would like for him to do. Mary Wheeler said the unemployment rate is so high and she can't imagine that they can't get someone to manage the pool if they really cared about it. Councilperson Polaneczky stated that two weeks ago he suggested that if anyone knew someone interested then they should tell them to apply. Mary Wheeler asked if it was then her responsibility to get a pool manager. Councilperson Polaneczky stated that nothing is her responsibility but he was saying that if someone knows someone who is interested then they should apply and bring there kids. He asked if they get free pool memberships for their families. Borough Manager Pantano said no. President Clark suggested that this discussion is brought up at the next committee meeting. Patsy Meck said when people such as Council ask for suggestions, when suggestions are made the immediate response is on the defensive side. If money comes in that day and people can go to Sam's Club for more variety at the snack stand then that's a suggestion but instead they are being told how it used to be. Vice President Zygmont said that is not what she meant and she meant that when it was run privately then the Health Department did not have to go in there. There are certain rules that they have to follow and equipment that they don't have to run a terrific snack stand. Patsy Meck said there isn't even bags of candy or chips. Vice President Zygmont asked if she was looking for more variety. Patsy Meck said that she could go down and supply the stand with $100 and make $300. She suggested letting people buy things to make money and you couldn't sell from an empty cart. Vice President Zygmont stated that Diane Overwise has a budget to follow as well. Jeannie Joyce asked what the Health Department rules are. Councilperson stated that it's because you cook instead of if it's pre-made. Borough Manager Pantano said once you start making certain things in there then you need certain stoves, skillets, and ventilation. Mary Wheeler said he daughter asked for a grilled cheese and the girl said she didn't know how to make a grilled cheese.

Merrie Keller asked what the actual requirements for the **pool manager** are and then maybe there could be a fulltime manager next year. This year we were shorthanded. She added that there was certainly a problem that started last year but solved itself this year. She asked for the rules for the pool manager. Vice President Zygmont said that you have to at least have your lifeguard certification and CPR certification. She said that it is helpful to have WSI in which you need to be 17 years of age or older.

A resident asked about the **volleyball net** outside of the pool. He asked if it was taken care of yet. SUPERINTENDENT STAUCH said that it was taken care of the day after it was brought up. Mary

Wheeler said the volleyball net was enjoyed by the members and asked if it would be considered to be replaced. Vice President Zygmont said yes.

ADJOURNMENT & EXECUTIVE SESSION

President Clark then adjourned the July Council meeting at 9:38 p.m.

Respectfully Submitted,

JOSEPH F. PANTANO
Borough Manager

Transcribed by Lynn Hartzell

BOROUGH OF HATBORO

PUBLIC WORKS DEPARTMENT

459 OAKDALE AVENUE
HATBORO, PA 19040

PUBLIC WORKS REPORT

Month: JUNE 2003

	Month	Year to Date
Loads of Trash	41	229
Tons of Trash	330.25	1,661.00
Street Opening Permits	?	6
Street Opening Fees Collected	?	$922.47
Sidewalk/Curb Permits	?	11
Sidewalk/Curb Permit Fees Collected	?	$525.00
Large Article Pick-up Stops	63	285
Amount of Large Articles Picked Up	115	574
Newspaper Tonnage	23.8	148.15
Grass/Leaves Tonnage	53.78	195.92
Recycled Glass/Cans Tonnage	12.58	75.28
Tires Recycled and Cost		$475.50
Recycles- Refrigerators/Freezers/Microwaves		
Cost of Above		

Remarks:

NORTH BOROUGH PARKING LOT MONTH & YEAR 3-Jun

PARKING VIOLATION

DATE	TIME	TICKET NUMBER	LICENCE NUMBER	MAKE & COLOR	WIN	LOST	METER
6/4/2003	1311		DJP-7050	PLYMOUTH			NOSPACE
6/5/2003	1316		DYZ-1217	FORD			10
6/5/2003	1316		DLF-7439	MERCURY			27
6/5/2003	1316		DXW-6403	VOLVO			67
6/17/2003	1300		EHS-6343	SATURN			2
6/17/2003	1300		ENA-3259	SUBARU			17
6/17/2003	1300		DVK-4499	TOTOTA			36
6/17/2003	1300		DFP-7585	NISSAN			81
6/17/2003	1300		FBL-1469	JEEP			45
6/17/2003	1300		EMW-6548	NUBIRA			NOSPACE
6/18/2003	1307		DPP-3587	GMC			10
6/18/2003	1307		EJW-7409	JAGUAR			13
6/18/2003	1307		DTY-6336	PLYMOUTH			15
6/18/2003	1307		EPG-3415	PLYMOUTH			NOSPACE
6/18/2003	1307		DGY-7920	SATURN			NOSPACE
6/25/2003	13.12		DGT-6599	HONDA			53

	YEAR	$160.00
	MONTH	$80.00
	YEAR	$240.00

BOROUGH OF HATBORO

POLICE FUEL USAGE REPORT

3-Jun

37-1	37-2	37-3	37-4	37-5	37-6	37-7	37-8	
0	6.6		6.8	13.6	0	6.6		
	4.1		7.2	9.5		7.3		
	5.1		5.8	5.4		7.4		
	3.7		5.3	10.8		8.8		
	5.7		7.3	4.9		6.2		
	4		14.1	4.5		13.1		
	7.7		11.5	3.9		5.9		
	5.8		10.1	3.5		7		
	4.3		2.5	8		6.4		
	22.9		10	9.3		11		
	7.2		11.8	5.1		7.5		
	1.6		4.7	4.4		15		
	8.5		7.2	10.3		5.8		
	8.2		4.9	7.7		7.8		
	2.2		14.1	5.7		4.6		
	8.9		5.3	5.3		5		
	13.7		8.6	7.6		4.7		
	10.6		9.8	10.4		8.6		
	8.1		3.9	4.1		6.4		
	5		9.3	5.5		7.2		
	7.1		8.6	10		8.5		
	8		5.8	16.4		11.6		
	5.4		9	6.6		4.9		
	4.9		4	4.1		5.3		
	6.6		3.9	4.5		14.4		
	4		17.5	2.6		5.5		
	4.5		15	4.5		5.4		
				4.6				
				7.4				
				3.9				
				8.7				
0	184.4	0	224	212.8	0	207.9	0	829.1

Total Gasoline 829.1

at 1.05 gal = $870.56

_____
sign/initial

GENERAL FUND - Adj - _____ - Police Fuel Usage

Police Fuel	**01.410.250**	**D XXXX**	(charge account)
Maintenance Fuel	**01.437.410**	**C XXX**	(reduce account)

DIESEL

Jun-03

9-21-D	10.1	13	4.6	26.4	18.9	28.6	21.9	25.4	21.4	5.5	13.2	14.3	5.6	22.5	
11-1-D	21.7	20.7	3.5												
17-8-D	40.2														
18-9-D	20.6	29.7	29.3	42.4	25.1										
20-12-D															
21-13-D	28.2	27.5	5.2												
26-14-D	28.1	12.5	21												
23-15-D	9.7	15.1	27.5												
24-16-D	18	27.8	19.7	23.5	22.8	22.6	24.9								
25-17-D	2.7	4.4	3.8	2.5	4.1	3.5									
30-M-D															
43-2-D	40.5														
44-D															
TOTALS	219.8	150.7	114.6	94.8	70.9	54.7	46.8	25.4	21.4	5.5	13.2	14.3	5.6	22.5	860.2

GASOLINE

13-3-G	25.3	30.1	29.7												
14-3A-G															
15-4-G	33.9	17.8	37												
16-7-G	21.8														
19-11-G															
27-20-G	13.7	13.8	16.2	9.9											
28-59-G	26.7	28.7													
29-M-G	1.9	12.2	26	2.4	4.9	25.8									
42-24-G	17.5	17.2	17												
47-G	31.5														
48-G	11.9	19	16.6	16.2											
49-G	16.4														
50-G															
TOTALS	200.6	138.8	142.5	28.5	4.9	25.8	0	0	0	0	0	0	0	0	541.1

GASOLINE	541.1
$1.05 A GALLON	568.16

DIESEL	860.2
$.91 A GALLON	782.78

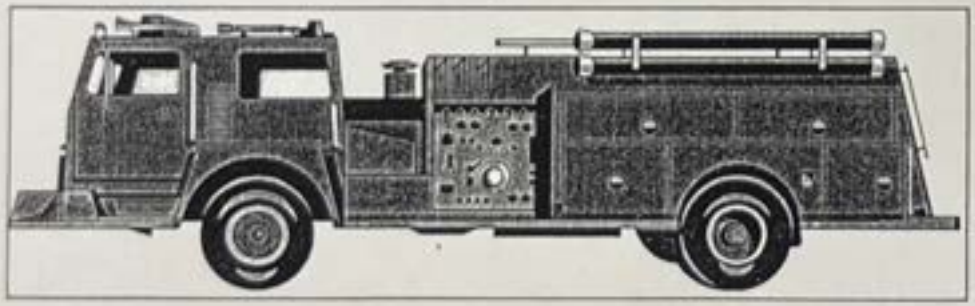
35-D	25.9														25.9
36-D	17.6	19.4													
37-D															0
45-D															
TOTAL	43.5	19.4	0	0	0	0	0	0	0	0	0	0	0	0	62.9

TOTAL DIESEL	62.9
DIESEL @ $3.91 A GALLON	67.24

3-Jun

34-G	28.4														
38-G	11.7	19.9													
39-G	19.3	19	19.1												
40-G	16.6														
46-G	27.5														
TOTAL	103.5	38.9	19.1	0	0	0	0	0	0	0	0	0	0	0	161.50

TOTAL GAS	161.50
GAS @ $1.05 A GALLON	169.58



																3-Jun
32-G															0	
33-G	21														21	21
31D															0	
30-D	14.6	10.5	22.7	19.6	14.3	14.2									95.9	95.9

TOTAL DIESEL	95.9
DIESEL @ $.91 A GALLON	$87.27

TOTAL GASOLINE	21
GASOLINE @ $1.05 A GALLON	$22.05

BOROUGH OF HATBORO

OFFICE OF THE FIRE MARSHALL

414 SOUTH YORK ROAD
HATBORO, PA 19040

MONTHLY FIRE MARSHALL REPORT

Month of : June 2003

	THIS MONTH	YEAR TO DATE
Inspections	12	153
Re-inspections	4	11
Fire Investigations	7	31
Special Service	5	26
Fire Reports Issued	4	5
Permits Issued	2	15
Permit Fees Collected	$50	$575
Fire Report Fees Collected	$100	$125
Inspection Fees Collected	$315	$4,807
Miscellaneous Fees Collected	$274.25	$574.25
Total Fees Collected	$739.25	$6,031.25

Remarks:

U & O Inspections 2 for 32 fees $600 for $ 10,670 Re-inspt. 0 for 4

	Invest.	Inspt.	S. S.	Total
Stauch	17.10	1.15	9.00	27.25
Thomas	.30	5.00	4.30	10.00
Sine	3.20	5.10	2.30	11.00
Reading	.20	0.00	0.00	.20
TOTALS	21.20	11.25	16.00	49.45

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, August 25, 2003

PRESENT

President Clark, Vice President Zygmont, Councilpersons Acker, Ehrsam, Polaneczky, Taggart, and Younglove, Mayor Celano, Solicitor Meyer, Chief Gardner, Borough Manager Pantano, and Superintendent Stauch.

CALL TO ORDER

PRESIDENT CLARK called the meeting of the Council of the Borough of Hatboro to order at 7:30 p.m.

MINUTES

PRESIDENT CLARK stated that Council is in receipt of the revised **July minutes**. COUNCILPERSON POLANECZKY apologized for not acknowledging the corrections sooner. He said the first correction was regarding the sentence, "Councilperson Polaneczky announced that he *stated*, he didn't ask if he wanted a chance to think about it." Councilperson Polaneczky explained that he was trying to say, but he was not sure if it came across that way, was that he had told President Clark that he was ok with the candidates and with Mr. Lutz, and with any of the three candidates except for Mr. Emig, for the Borough Authority. He said, at the June meeting, that he was ok but he needed the chance to think about it. In addition, on page seven, the sentence stating, "Councilperson Polaneczky stated that he knows that Hudson Union Bank ended up getting it and that Commerce Bank did bid but they went the lowest bidder," should say were not instead of went. Lynn Hartzell verified that it was to say Hudson United not Hudson Union. Councilperson Polaneczky said it was Hudson United and noted that there were so many pages with the minutes and Lynn Hartzell was probably going a mile a minute with typing. Councilperson Polaneczky made a MOTION to approve the July minutes. This motion was SECONDED by COUNCILPERSON YOUNGLOVE and it was APPROVED by Council unanimously.

PRESIDENT'S REPORT

PRESIDENT CLARK stated that he had nothing to report at this time.

BOROUGH MANAGER'S REPORT

BOROUGH MANAGER PANTANO stated that he had a number of items to discuss tonight. He added that the majority of the information is regarding grants. The first grant is the **DCED Pool Grant** application. Borough Manager Pantano stated that we did not get this grant last year however we resubmitted the application for this year and we will hopefully have better luck with it. He added that there were not a lot of changes from last year's application therefore all of the work was done in house.

BOROUGH MANAGER PANTANO stated that the next grant was the **CDBG Grant** application. That grant was put in this year for the reconstruction of Moreland Avenue. He was just notified recently that the County Commissioners have approved all of the funding which included our grant at $147,970. He was pleased to hear that this would happen. Borough Manager Pantano announced that our match will be $26,000 and we will need to budget that through the capital project list for 2004. Borough Manager Pantano reported that this amount is the full amount that was requested therefore nothing was cut out of the project. He reiterated how pleased he was.

BOROUGH MANAGER PANTANO reported that the **DCED Design Challenge Grant** was last year's Round Five Grant and we just received notification that all of the paperwork was accepted. That $20,000 grant is now closed out.

BOROUGH MANAGER PANTANO stated that they discussed the **Design Challenge Grant Round Five**. This was discussed at the last Council meeting and they were going to put it on the

agenda for approval for the Borough to go forward with applying for the Sixth Round, however, because there is a requirement this year for a Cooperation Agreement between Main Street and the Borough he had Solicitor Meyer look at it. There are some issues that he believes should be discussed at a committee meeting before proceeding with this grant. Borough Manager Pantano noted that there might be some modifications we might want to make to the Cooperation Agreement. He added that there is no time deadline on that therefore there is the time to discuss this matter without jeopardizing anything there.

BOROUGH MANAGER PANTANO mentioned that we had applied for 75% of our eligible costs for the snowstorms this past winter through the **PEMA Grant**. That was approved and we received a grant check in the amount of $13,955. He added that that was also a nice surprise.

BOROUGH MANAGER PANTANO stated that the Borough apparently had a grant back in 1997 for a **Community Development Block Grant** project that was done and the Borough was never reimbursed for it. They have been working with the County and it looks like they will be able to close the grant out and get the money that they should have received five years ago. COUNCILPERSON YOUNGLOVE asked how much money it was. Borough Manager Pantano reported that it was $23,000. VICE PRESIDENT ZYGMONT asked how he found out about this one. Borough Manager Pantano said that when they were working on the application papers for the present project, they just happened to be talking to the man in charge of it and he mentioned that he didn't think it was ever actually finalized. The man looked into it and called Borough Manager Pantano to let him know that the money would be forwarded to the Borough. COUNCILPERSON POLANECZKY asked if they spent the money in 1997. Borough Manager Pantano said yes. Councilperson Polaneczky asked if the auditors picked the grant up. Borough Manager Pantano said they apparently did not notice it. Borough Manager Pantano explained that the initial paperwork went in when Al Herrmann was here, then Jeff Smith, then Mark Vasoli and then it was forgotten about over the years. He added that it was a nice find.

BOROUGH MANAGER PANTANO stated that the next round of grant applications that they will be dealing with for the **park** and the **pool** will have to do with three different grants through **DCNR**. He added that we have been applying for grants for the pool for the last couple of years and we have not been successful in getting it. We met with representatives from DCNR and spoke to our engineers to determine what we can do to make the application better to ensure that we will get something out of the next round. He added that when he met with the people from DCNR, they noticed that one of the problems they have is with the **feasibility study** for the pool itself. It is lacking some of the things that the state wants to see in these programs. There are a few different options. One would be to not put the pool application in this year but to apply for a planning grant through DCNR. If we do the planning grant and include the pool as a part of the overall recreational facilities in the Borough then that becomes part of the feasibility study which is one of the things that they want to see in the pool application. The problem with this option is that we would have to wait another year to put the application in for the construction money/pool money. When talking to the people from DCNR, we became aware of another type of program called the **Peer to Peer Grant**. With this grant they utilize other professionals who strictly deal with pools to do a complete analysis of the pool, including the staffing, the technical aspects of it, the market analysis, which will support the grant for the construction money for the pool. By doing it that way we can still apply for the planning grant at the same time we apply for the pool because we have now separated them into two different types of projects – the pool getting it's needed information through the Peer to Peer study and the planning grant going forward addressing the rest of the parks within the Borough to try to get a plan in place for future funding. VICE PRESIDENT ZYGMONT stated that we do have a plan from 1996, which when you look at the parks not much has changed therefore her personal feeling is to try to improve what we have before we make a new plan on the parks. Borough Manager Pantano stated that what they do is take the information from the existing plan. Vice President Zygmont stated that when you read this plan, not much has changed, including the tennis courts with night lighting, etc. She stated that she would hate to see spending the time and the money on the new plan this way. She added that she agrees with him

regarding the Peer-to-Peer Grant and would like to see it ready for submittal with the DCNR Grants so we are not doing all of these studies again. She said she does not want it to be another ten years before anybody knows. Borough Manager Pantano pointed out that the Peer-to-Peer Study is not needed at the same point and time when the application is needed. He believes that the application is due October 15th whereas the Peer-to-Peer Study does not have to be completed until December because they won't do the actual evaluation of the pool application until December or January. He added that as long as the application is in then we have the time to finish the Peer to Peer. Borough Manager Pantano explained that the Park Study was submitted along with the Pool Grant previously. Vice President Zygmont stated that they did not submit the Park Study with the DCNR Grant; it was just the Feasibility Study last year. She stated that when you look through the park study, nothing much has changed since 1996 and we should try to fix what we have instead of wasting the money getting a new study when we have a current one. Borough Manager Pantano stated that the decision was up to Council. Vice President Zygmont stated that she is for the Peer to Peer because the Borough can get the $7,500, which is a non-matching grant. The other program would require a 50/50 match and the Borough would be spending money on that when we already have one that needs to be completed. She added that there is only so much money allotted to improvements and she would rather see it spend on improvements rather than on another study. Borough Manager Pantano stated that he knows that the most recent application that was submitted by Wade Associates might not have included that but the application that was submitted through Gilmore Associates, either two or three years ago, had the parks plan in it. COUNCILPERSON EHRSAM asked if that was the one that was turned down. Borough Manager Pantano said yes, we have been turned down every year. Councilperson Ehrsam asked if it was the one that Borough Council turned down. Borough Manager Pantano said he didn't know that Borough Council turned down a grant. Councilperson Ehrsam said it was for the pool. COUNCILPERSON POLANECZKY stated that three years ago he believes that Council turned down a grant because of the matching portion. Borough Manager Pantano stated that they pulled the grant because they did not have the matching funds in place at the time. The grant was never evaluated to be turned down or approved. He added that it was in the system but they pulled it because they didn't want to take the chance of getting the grant and not having the matching funds because they look very unfavorably upon that. Borough Manager Pantano stated that that was done within the first few months he worked in the Borough, which was about two and a half years ago. Councilperson Ehrsam explained that he knows that we have been doing a lot of studies since 1996 and a lot of money has gone towards feasibility studies. Vice President Zygmont stated that the Wade study did include the embankment from the stream. Borough Manager Pantano said he was not sure what she was referring to. Vice President Zygmont told him to take a look at the study to see that it included the Pennypack Creek. Borough Manager Pantano asked if she meant that it was a park of the park study. Vice President Zygmont said yes, it was included in Wade's study. Borough Manager Pantano said that he can only tell Council what the people from DCNR have been saying and that is that the way the pool application stands now is that it's deficient in a number of areas. Vice President Zygmont asked if they gave Borough Manager Pantano a list. Borough Manager Pantano said yes. Vice President Zygmont asked Borough Manager Pantano to please forward that information to her. He said it was in his report and he said exactly what they told him in his report. Councilperson Polaneczky asked if DCNR had any suggestions as to who a certified independent consultant would be. Borough Manager Pantano said no but they would work with the Borough on that if they go through with the Peer-to-Peer Study. He added that regardless of what happens with the park study, he believes that we should go forward with the Peer-to-Peer Study and the pool application. Councilperson Ehrsam asked if that was the one with the market analysis. Borough Manager Pantano said yes. Councilperson Polaneczky stated that he guessed we should contact Wayne Wade and get his input on this. He thinks they designed this for certain marketing principals, etc. and he remembers in that report that two of these issues were addressed with those studies done. He believes we need the statistical data to back it up. Councilperson Polaneczky said we could maybe get in contact with him, as this seems like a win-win situation. He added that the $7,500 to do the study, with no strings attached, will give us something that will hopefully project what are revenues will be and how many people we could expect to join the membership. He said it will probably project for us what type of fees we are going to have to

charge in order to break even or to make the pool operate at an even point. Borough Manager Pantano said that was exactly what they were saying and they don't want to funnel all of this money to us if we can't show them that it could feasibly support itself. Councilperson Polaneczky stated that when we look for somebody to choose he would be inclined to choose someone that is from out of this area, that has had quite a bit of experience, that can hear all of the sides and remain kind of neutral as to the anti-pool and the pro-pool and just give us a statistical management analysis as to what we have to do in order to break even. He added that he thinks we should proceed with this. Vice President Zygmont asked if Council was in agreement to go forward with the Peer-to-Peer. Council unanimously agreed to go forward with the Peer-to-Peer Study. President Clark asked if there was the time for this to be a part of Vice President Zygmont's committee meeting in September. Borough Manager Pantano said yes it could be discussed in September as the application is due October 15th. Vice President Zygmont asked if he needed the park part of it for the application. Borough Manager Pantano said no. Vice President Zygmont asked if he just needed the Peer-to-Peer Study. Borough Manager Pantano said yes. Councilperson Polaneczky asked how long they said it would take to approve the Peer-to-Peer Grant. Borough Manager Pantano said he would not give a specific time but they said it would be pretty quick. He added that he could not pin him down to two weeks or a month. Vice President Zygmont asked if they sent Borough Manager Pantano the list yet. Borough Manager Pantano asked what the list would be of. Vice President Zygmont said the list is of who in the state does it. Councilperson Polaneczky said he was not sure if we have to vote on it or if we all just have to agree. He said it will obviously take them about a month to put it together. Borough Manager Pantano said we have until the end of this year to do the Peer-to-Peer separate from the application so we have a little time to concentrate on that. He added that regarding the overall parks application, if it is going to be discussed in the middle of September then we have to make that decision. Vice President Zygmont asked if Borough Manager Pantano could copy this for the rest of Council. Borough Manager Pantano asked what document it was. Vice President Zygmont said it was the 1996 Open Space Plan. Borough Manager Pantano told Vice President Zygmont that he would see if there was any other information he could get on the Peer-to-Peer. Vice President Zygmont said she would like to get the ball rolling. Borough Manager Pantano explained that he didn't have anything on paper when they discussed this; he just gave Borough Manager Pantano the general information. Councilperson Polaneczky asked if we were going to go with the Peer-to-Peer and submit the other grant application in October and then amend it in December to include the Peer-to-Peer. Borough Manager Pantano said that was correct. He added that that was their explanation as to how they were planning on doing it. Vice President Zygmont asked if he could include that we did do a community survey and we do have community contributions because in the DCED Grant it was not included. Borough Manager Pantano said he will start proceeding with both applications and they will put the regular overall parks application on the committee agenda for September.

BOROUGH MANAGER PANTANO stated that we had some pretty significant **lightning damage** at **Byberry & Warminster Roads** in July. It's going to be about $14-15,000 in damage to the controllers and to the underground loops. Everything is completed except for the underground loops. Borough Manager Pantano added that our insurance is paying for all except $1,000 because we have a $1,000 deductible. Fortunately it's covered. COUNCILPERSON EHRSAM asked if that light was in conjunction with Upper Moreland. Borough Manager Pantano said no, that light is the Borough's responsibility. He thinks that two of the loops might be theirs. SUPERINTENDENT STAUCH said one of the loops is Upper Moreland's and we are responsible for all of it since we hold the permit. Councilperson Ehrsam said he thought there was an agreement for reimbursement. Borough Manager Pantano said no, just the loop. Superintendent Stauch said no because if we did that then we would have to pay for Newington Drive and all that.

BOROUGH MANAGER PANTANO updated everyone on the **Revitalization/Comprehensive Plan**. He said they had their final meeting with the working task force the other day and the plan is pretty much in final draft form. He gave copies of the plans to Council. He reminded everyone that is it still in draft form and it has to be presented to the Planning Commission members, at a public

meeting, as well as the County Planning Commission. If it goes through the two commissions ok then it comes back to Council for another public presentation and Council can then choose to approve it or not. Borough Manager Pantano announced that the Planning Commission meeting is currently scheduled for September 16th at 7:30 p.m.

BOROUGH MANAGER PANTANO announced that the **walking trail** at **Eaton Park** has been paved. It turned out pretty nice and they have received a couple of compliments from people utilizing the track. They are thanking Council for going forward with that project. COUNCILPERSON YOUNGLOVE stated that he used the trail the other day and it was very nice.

PRIVILEGE OF THE FLOOR

Joanne Rossfact and she wanted to thank Council for returning her calls in reference to **Commerce Bank**. She asked if the resolution on the agenda called for a role-call vote. PRESIDENT CLARK said yes. COUNCILPERSON POLANECZKY asked if she was from Horsham because normally we say our address. She said yes, she lives 1237 Horsham Road.

Charles Kremp, resident of 406 New Bold Road in Jenkintown, stated that he serves as chairman of the Willow Grove Foundation and he has a business in Willow Grove. He too wanted to talk to Council about their decision to leave **Willow Grove Bank**. He explained that he is also a director of Willow Grove Bank and he served as chairman to the Community Enrichment Program before the foundation was formed in 1998/1999. Mr. Kremp stated that both the foundation and the bank have been honored to be in a position to help many organizations. Specifically here in Willow Grove he picked a few up including the Hatboro Little League, Hatboro Library, Hatboro Main Street, Hatboro Police, and more recently, the Hatboro YMCA, the Hatboro-Horsham Educational Foundation, the Hatboro-Horsham Student Council, the Hatboro Parade, and the one major one being that Willow Grove Bank was the main sponsor for the event that Hatboro-Horsham had with the Honor Society in 2000. For that event they supported it with over $35,000. Mr. Kremp stated that it's important for everyone to know that the grants that Willow Grove Foundation is able to make come solely from the contributions of Willow Grove Bank. The bank has given over $1,000,000 in the last five years to the area around Hatboro, which is very dense. This is just in the communities that we live in for the people that we know and that we touch. Mr. Kremp stated that no matter what the decision is, the Willow Grove Foundation is still going to continue to support the organizations of our neighbors and the activities that are here but there is so much value in community. We rely on each other. We are what makes up the community. We depend up each other. Mr. Kremp stated that Willow Grove Bank is really a part of the community. He wanted to raise the point that when they are making the decision that they really bring as much value as they can to the constituents but they also keep in mind the total make-up of that value. When he thinks of what this particular organization has done for this community, it adds quite a bit.

TREASURER'S REPORT

PRESIDENT CLARK reported that, according to Treasurer McKean, as of 07/31/03 the balances invested in the Pennsylvania Local Government Investment Trust (PLGIT) totaled $2,435,818.00. Interest credited for the month was $1,480.89. Average yield for July was 0.73%.

PAYMENT OF BILLS

PRESIDENT CLARK stated that Council has received copies of the **bills** and **manual check list**. COUNCILPERSON YOUNGLOVE made a MOTION to approve the warrant list and the manual check list. This motion was SECONDED by COUNCILPERSON POLANECZKY and APPROVED by Council unanimously.

MAYOR'S REPORT

MAYOR CELANO stated that he has nothing to report at this time.

SOLICITOR'S REPORT

SOLICITOR MEYER appeared before the Court of Common Pleas, Judge Stephen Barrett, for oral argument on the **Carr & Duff** matter and our petition to appeal and their petition to confirm the award. Solicitor Meyer noted that he said Judge Danielle last month but that was incorrect. There was argument for about 45 minutes and he took it under advisement and he will be submitting a decision. VICE PRESIDENT ZYGMONT asked if we wound up giving them the retainage for the steps. Solicitor Meyer stated that that was part and partial to what this was all about and we offered it to them so we have to wait for a settlement. COUNCILPERSON EHRSAM asked if we waiting for it in written form. Solicitor Meyer said yes.

SOLICITOR MEYER prepared drafts of the Developer's Agreement and Escrow Agreement for the **Belfus property**. This is an ongoing matter. They have a preliminary, preliminary contingent building permit to pour the foundation but they have not performed the other work necessary to get the other building permits.

SOLICITOR MEYER reviewed the **Moreland Crossing Townhomes** agreements. He added that he has seen some workmen over there.

SOLICITOR MEYER prepared response to a **Freedom of Information Act** request. He also reviewed two Freedom of Information Act requests and reviewed the Borough's responses to the two requests. There is a little confusion as to what they are entitled to and what they are not.

SOLICITOR MEYER drafted legal opinion regarding **spot zoning** for the **399 N. York Road** property.

SOLICITOR MEYER drafted a legal opinion regarding the **Main Street Application process** and the contract with the Commonwealth of Pennsylvania.

DEPARTMENT SUPERVISORS' REPORT

CHIEF GARDNER issued a public reminder that **school opens** next Wednesday, September 3rd. They ask everyone to drive carefully around our two elementary schools and the bus stops, especially during the crossing times when the kids are going to and from school. He reminded everyone that the streets in the vicinity of both schools are restricted to one-way during the hours of 8-9 and 3-4. They ask everyone to be careful in those areas and to please obey those regulations of the posted speed limits as well.

CHIEF GARDNER also issues a special thank you to the **Chamber of Commerce**. They recently ran a pet rescue fair at Miller Meadow during their annual sidewalk sale. He received a call from the Chamber explaining that they raised some funds down there and they wanted to donate some money to our canine unit, which we don't have. From time to time, however, we do use police canines and we are very fortunate that we are able to use Warminster and Upper Moreland's canines virtually anytime we make the request. As a result, Chief Gardner arranged to have the Chamber and the Pet Rescue make the donations of $100 to each of the two canine units. There was a presentation last week where representatives from both police departments came to our Chamber office and they were presented with a check for $100 each. That was presented on behalf of the Hatboro Police Department.

FIRE MARSHAL STAUCH submitted a report, in advance, which is attached. He reminded Council that he submitted a letter to them last week requesting any input they might have on power outages so they can be discussed at meetings.

SUPERINTENDENT STAUCH submitted a report, in advance, which is attached.

COUNCILPERSON POLANECZKY asked Code Enforcement Officer Heller what the story was with the corner of **Chester & Montgomery Avenues**. He thinks he saw an orange sticker on the

door but the lawn is high. CODE ENFORCEMENT OFFICER HELLER stated that they were asked to have their lawn cut. Councilperson Polaneczky asked if the house was vacant because he knows it was for sale. He also knows that a couple of the neighbors have said something to him about rodent infestation because the lawn is very high. Code Enforcement Officer Heller stated that the owners have been contacted and they have had two letters sent to them. He put the sticker on their door. He added that he has done as much as he can do now so he has to wait until the date of August 31st and then give them a citation for not acting on the issue. He believes it's younger adult males, that live in the house, that are a part of the family who used to own the property and this is not a concern of theirs. Code Enforcement Officer Heller stated that they need to learn how to be a part of the community. Councilperson Polaneczky stated that this presents a danger as far as rodents and he asked if we could cut the lawn and then bill them for the services or put a lien against the house. SOLICITOR MEYER said that you could certainly do it but the process and the cost and the time when they don't pay it is cumbersome. When they don't pay it then you have to put a lien against the property and then when it sells you get your money back. If it's a matter of safety then it should be done right away but if it's the matter of finances then you might go with Code Enforcement Officer Heller's route and hope that they do it soon. He said it all depends on how important it is to them. Councilperson Polaneczky stated that it's quite high and overgrown. COUNCILPERSON YOUNGLOVE said it's awful. Councilperson Polaneczky stated that he pays $25 per week for his lawn. Councilperson Younglove asked if we cite them as of the 31st then how quickly would it end up in court. Solicitor Meyer stated that that would be dependent upon Judge Leo's schedule. Councilperson Polaneczky reiterated that it's pretty bad. Councilperson Younglove stated that he would hate to set the precedent but if there are rodents then they should act immediately. Solicitor Meyer stated that calling the Department of Health might be a good idea. Councilperson Polaneczky pointed out that there are a few properties around this house that are making significant improvements. He stated that the house down the road and across the road are being improved and the house next to it where the bikers are has a very nice property because they do a lot of landscaping. As a result, this property sticks out like a sore thumb. PRESIDENT CLARK asked when his last contact was with the occupants of the house. Code Enforcement Officer Heller stated that he tried to personally talk to them on Friday and that is the day he put the stickers on. He stated that the occupants were in the house but they were not answering the doors. Councilperson Younglove asked if we know who the owners are. Code Enforcement Officer Heller said no. CHIEF GARDNER said it used to be a rental property. Code Enforcement Heller said that he is not sure who the owners are since the records in the Borough offices for that home have not yet been updated. Councilperson Younglove stated that we should be going after the owner. Code Enforcement Officer Heller stated that the original letter was sent out by Butch Thomas. Councilperson Polaneczky stated that he could get the name of the owner from either Judy Emig or the Montgomery County website. Code Enforcement Officer Heller stated that it's not in our tax book yet but it would be on the computer due to the recent transfer of the title. Councilperson Polaneczky asked if it did transfer because it was for sale by owner. Code Enforcement Officer Heller said yes. Councilperson Younglove said that if it was a real health issue then he would not have a problem asking someone to cut the grass. Solicitor Meyer stated that simultaneously we should send a certified letter to the owner telling them that they have seven days to clean it up and thereafter they will subject themselves to whatever penalties there might be. Councilperson Polaneczky stated that he would like to find another remedy to this other than going in and cutting it so that we don't find ourselves doing that every two weeks. He added that he agrees with Councilperson Younglove and if we do cut it then we still continue to pursue the legal means so it does not become a precedent for cutting it all of the time.

COUNCIL/COMMITTEE REPORTS

Administration – Dr. Clark

PRESIDENT CLARK made a MOTION to approve **Resolution 03-07** supporting the Montgomery **County Open Space Program**. This motion was SECONDED by COUNCILPERSON YOUNGLOVE. COUNCILPERSON POLANECZKY asked if we received any information on this program as to whether or not it calls for dedicated taxes or increasing mils through the county. President Clark stated that the only thing he had was what was given to him in his packet.

BOROUGH MANAGER PANTANO explained that that was the only thing he received as well. Sue Cornell asked if this was for the referendum. Borough Manager Pantano said yes. Councilperson Polaneczky asked if it was to increase the county mils. Sue Cornell said it was to increase it $150,000,000 over the next ten years. Councilperson Polaneczky stated that he was going to abstain since we didn't have any details on it but based on that he thinks he can make a vote. With a vote of 5 – 2, having Councilperson Ehrsam and Councilperson Polaneczky voting no, this motion was APPROVED.

PRESIDENT CLARK made a MOTION to approve the bills submitted by the **Borough Authority**. COUNCILPERSON POLANECZKY asked if he had both sets. President Clark said yes. This motion was SECONDED by COUNCILPERSON YOUNGLOVE and APPROVED by Council unanimously.

Budget & Insurance – Mr. Polaneczky
COUNCILPERSON POLANECZKY stated that Borough Manager Pantano set up a meeting to meet with Superintendent Stauch on Thursday morning, regarding the Public Works and streets operating budget. Time permitting, they will also meet with Chief Gardner regarding the Police budget. Councilperson Polaneczky stated that at last month's meeting Chief Zollers, Rich Lefebvre, and Mr. Preston were in attendance and they talked about getting the Fire Company budget together. VICE PRESIDENT ZYGMONT asked Councilperson Polaneczky if he wanted any input from the chairmen from the different committees. Councilperson Polaneczky stated that that was probably a pretty good idea and he believes he mentioned before that if anyone needs anything for their committees then they should let him know. He specifically talked to Councilperson Younglove about the costs of putting additional minutes on the website. PRESIDENT CLARK asked Councilperson Polaneczky if after we have the preliminary input that Council as a whole will meet with the supervisors to review their input. Councilperson Polaneczky stated that they could do that at a committee meeting. He said he would like to plug the initial numbers into the budget so they have the explanations. If the department heads are in attendance at the work session then they would be available to answer any questions regarding their budget requests. Vice President Zygmont asked if the information would be printed for what they need the money for other than salaries. Councilperson Polaneczky asked if she meant the line items and what the line items encompass. Vice President Zygmont said yes. Councilperson Polaneczky said they will put on what the line items encompass, such as a lease or for the DARE Program. He added that items under $500 do not need to be broken down. He mentioned that if this is in the initial form of the budget then it should minimize the questions at the work sessions. He reminded anyone that had a committee request to forward the information to Borough Manager Pantano. Councilperson Polaneczky asked Councilperson Ehrsam if he wanted to sit in on the Public Works budget session on Thursday. COUNCILPERSON EHRSAM said yes. He also invited Councilperson Taggart to sit in on the Police budget session.

COUNCILPERSON POLANECZKY made a MOTION to consider Resolution 03-07 regarding **bank services**. This motion would approve Commerce Bank for the current bank year for our banking services. He said it obviously couldn't be for more than one year because we appoint our banks, our auditors, and everybody else one year at a time. COUNCILPERSON YOUNGLOVE asked if it was the right number. Councilperson Polaneczky stated that he has 07 written at the top but will change it to 08. He repeated the motion to consider **Resolution 03-08**. This motion was SECONDED by COUNCILPERSON YOUNGLOVE. Councilperson Polaneczky stated that he did meet, as he had said, with Treasurer McKean, Borough Manager Pantano, Bookkeeper Cannon, and Lynn Hartzell and they all wanted to give Commerce Bank a try just as we had given Willow Grove Bank a try two years ago when we moved from Hudson when Treasurer McKean moved over to Willow Grove Bank. He hopes that Commerce, Willow Grove, Hudson, and Hatboro Federal, who has really never had any of our accounts but continues to put a lot of money into the community, will continue to be active members of our community. He added that he hopes none of it is predicated on the bank having our banking services. He hopes that they will all bid on loans that we will see so they could make money off of the interest but staff felt that they would like to go

with Commerce. Councilperson Polaneczky believes that two of the main reasons were availability of direct deposit without having to purchase payroll service from and outside company and second was the availability to execute transactions themselves online. Councilperson Polaneczky stated that it really does not come down to parking because that is not an issue. VICE PRESIDENT ZYGMONT stated that she guessed that this had been a tough thing and it was nothing against Commerce but at the presentation last month Willow Grove said they were not aware of the problem that we had so she would personally like to give Willow Grove six months to see if we could work those problems out. She would like to get more feedback on Commerce in that time and she does not see why there is such a rush to switch. She explained that in all fairness to Willow Grove if we had problems but they were unaware of it then we should give them a chance. COUNCILPERSON EHRSAM said he would also like to add that Willow Grove has been a big asset to the community and that loyalty does mean something. With a vote of 5 – 2, having Councilperson Ehrsam and Vice President Zygmont voting no, this motion was APPROVED by Council.

Parks, Recreation, & Community Affairs – Mrs. Zygmont
VICE PRESIDENT ZYGMONT asked where we stand with the **retaining wall** for **Tanner Park**. BOROUGH MANAGER PANTANO said he does not have an answer. He explained that he meant to talk with the engineer today about the spec but he didn't get around to doing it. He apologized and said he will find out and let Council know as soon as possible. Vice President Zygmont said ok.

VICE PRESIDENT ZYGMONT noted that there is a sign-up sheet at the **pool** for anyone who wants to meet to share ideas in January or February. She added that the people on the list will be called for a special meeting outside of a regular Council meeting.

Public Relations – Mr. Younglove
COUNCILPERSON YOUNGLOVE stated that in August Council received a letter from Kathy Rusch on behalf of the Chamber of Commerce. She was requesting the use of the Borough Hall parking lot during the Hat-oberFest celebration. He added that last year the Loller Building was one of the buildings that was concerned with the ghost stories and the Chamber plans to run the same event this year. Based on already discussing this at the last committee meeting, Councilperson Younglove made a MOTION to authorize the Chamber of Commerce to use the Borough Hall parking area for **ghost tours** several nights during the week of October 18th. This motion was SECONDED by COUNCILPERSON POLANECZKY and APPROVED by Council unanimously.

Public Safety – Mr. Taggart
COUNCILPERSON TAGGART recognized a long time volunteer, **John Sine** for his service to Hatboro. He decided to retire as Assistant Fire Marshal. Councilperson Taggart presented Mr. Sine with a plaque which read:

> Presented to John Sine for 55 years in the fire service. 45 of those years were with the Enterprise Fire Company of Hatboro and the Hatboro Fire Marshal. From the Borough of Hatboro, we would like to thank you for your years of service.

FIRE MARSHAL STAUCH stated that he is moving to North Carolina. PRESIDENT CLARK also thanked John Sine and wished him the very best. He stated that he has known his wife and her dad for a number of years. Both of their families have made significant contributions to this Borough. Rosalie Sine stated that she was born and raised in Hatboro and has been here for 70 years.

Public Works & Public Properties – Mr. Ehrsam
COUNCILPERSON EHRSAM stated that he had nothing to discuss at this time.

COUNCILPERSON ACKER stated that there is still a sign on **Miller Meadow** for the Car Show. COUNCILPERSON EHRSAM said it should have been taken down and will be removed.

COUNCILPERSON POLANECZKY stated that he wanted to update everyone on the letter that he asked Borough Manager Pantano to send to the **Public Works Association Union**. He stated that we did receive response back but he's not sure exactly what it said. Council had asked to meet with members of the union and it's signed by members of the Public Works Association Union, however, then it says, "As you know we have merged with the Teamsters." He stated that he is not sure if they know that the state is not recognizing that or what but we have made an overture to meet with them. Councilperson Polaneczky stated that they have requested certain items and he would like to ask Joe Rudolf about providing these items. He stated that there are certain items that he really does not see a problem with. They asked for all wages or W-2s for the last three years and he doesn't see a problem with providing the Union with copies of the paperwork for those that are in the union, not any other employees of this Borough because he doesn't think it is public information. VICE PRESIDENT ZYGMONT stated that she thinks we should consult our labor attorney before we do anything. Councilperson Polaneczky agreed but added that the seniority list and certain pension documents, both for the people in the union, would be available. He feels that if they are open records then they are entitled to have them. He doesn't think it's a bad idea to go ahead and do that. He would like to set up a negotiating session with the people who signed the letter. He guessed it was signed by Brent Sine and Butch Thomas. BOROUGH MANAGER PANTANO said he thinks we need to discuss this with the labor attorney first. Councilperson Polaneczky agreed but said that he doesn't think it should have to wait two weeks or four weeks to be set up. COUNCILPERSON EHRSAM stated that they are just really waiting for the Public Works Association to set up a date. He added that they were given five alternatives. Vice President Zygmont said they are, however, saying they are Teamsters and we can't negotiate with Teamsters. Borough Manager Pantano agreed and said that that is the problem. Councilperson Polaneczky believes that we should talk to the attorney but also reiterated that we are willing to meet on those five days. He doesn't understand why once again the waters are muddy and cloudy with issues that were never issues before. He told Mr. Battis that they are trying to move along but every time they try to take a step somebody throws up a few roadblocks.

Zoning, Development & Historical Preservation – Mr. Acker
COUNCILPERSON ACKER stated that he had nothing to report at this time.

VICE PRESIDENT ZYGMONT asked if there was any update on the **cell tower**. BOROUGH MANAGER PANTANO said no.

PRIVILEGE OF THE FLOOR
Rich Lefebvre asked if there was an update to the **Fire Company audit** from last year. He said it's been about nine months now and they have not received any reports or anything. COUNCILPERSON POLANECZKY asked who their contact was. Rich Lefebvre said it was Mike Palazzo. Councilperson Polaneczky asked if they have provided all of the information and when the last date on site with the information was. Rich Lefebvre stated that they were provided with everything they asked for and their last meeting was in March. Councilperson Polaneczky stated that March is really early and asked if there were issues remaining. Rich Lefebvre stated that there were no issues because as soon as they requested the items, they were provided with all of the information they needed. Councilperson Polaneczky asked Borough Manager Pantano if he could call the auditors and asked where the Borough's audit is. BOROUGH MANAGER PANTANO said it is in the same place as the Fire Company's audit. Councilperson Polaneczky stated that it's not like we had Bee, Bergvall's before October or November. Borough Manager Pantano contacted them as recently as Friday and they said it would be about two to three weeks before we get anything. Councilperson Polaneczky stated that he would get in contact with our contact from over there. He added that if it comes in within the next month or two then they could beat Bee & Bergvall, if not then they go away too.

Mr. Marcell, Willow Grove Bank, stated that he is disappointed but mentioned that **Willow Grove Bank** will continue to be a big part of this community as far as their efforts to assist the community in any way they can. He explained that one of the disappointments is that while this decision is being made, Main Street officials are talking to the bank about aiding them in a project. The parade officials are talking to Willow Grove Bank about a project. He just recently had a call from the high school for a small venture to aid the high school in projects. He guesses that he's a little confused but he's a big boy so he will continue to work with everyone. He thanked them for the past opportunities to work with all of them.

Bill Tompkins, Spring Avenue, said that he heard a lot of **comments** from half of Council regarding the Bank issue as to why they voted the way they did. He added that the other part of Council voted without a lot of discussion and it seemed like the decision was made previously. Mr. Tompkins stated that he knows that it was not discussed at the last committee meeting either. PRESIDENT CLARK apologized for interrupting but stated that it was discussed and he recalls participating in the discussion. He said that's where the items were discussed. Mr. Tompkins said that it was discussed at the last Council meeting. He added that he would like to hear the input from all of Council on these decisions that are decisive, especially since the website minutes are devoted to Council minutes. He wants to know why people voted the way they did and he does not think it's a lot to ask. Instead it's a request. He reiterated that some people gave opinions and some people voted but there was not a lot of input to the community as to why they voted the way they did.

Bill Tompkins asked if there was any discussion going on about the **Historic Preservation Ordinance**. COUNCILPERSON ACKER stated that it was discussed at the other committee meeting and that it was decided to not discuss it until September when people are back from vacations. BOROUGH MANAGER PANTANO said we were hoping to get some information back from the Planning Commission and the Planning Commission has not yet had the opportunity to address this issue. COUNCILPERSON POLANECZKY asked if it was going to be placed on the agenda for discussion among the Council members. Borough Manager Pantano said they could if they wanted to have further discussion but they would not have the input from the Planning Commission before the September committee meeting.

Joanne Rossfact, Horsham Road, asked if the **committee meetings** were open to the public. PRESIDENT CLARK said they certainly are.

Meryl Casey stated that she appreciates Vice President Zygmont putting the **sign-up sheet** at the **pool** but was curious as to why she was waiting until January or February. She hoped that it would be an ongoing process and not a one-time event. VICE PRESIDENT ZYGMONT explained that it is an ongoing process but she thought right now people are busy with vacations and getting their kids ready for school. Then Council starts the budget session. They start planning for the next pool season in January because it is after Christmas. She said anyone could mail ideas or suggestions could be forwarded to Vice President Zygmont through Borough Hall. Meryl Casey said people do want to meet and she signed up. Vice President Zygmont said in the meantime if she has an idea then she could just jot it down and forward it to Borough Hall. COUNCILPERSON POLANECZKY said that might be a good portion for that peer report because it talks about management, cost, and oversight of the pool.

Meryl Casey apologized for not looking at her pink brochure when she purchased four family memberships and one single membership at the same time. She asked how it was decided to **close the pool early** this year. VICE PRESIDENT ZYGMONT stated that it was a council decision and it's not that we are closing early but usually the pools open Memorial Day weekend so we decided at the end of last year that we would open on Memorial Day and close the end of August because Labor Day weekend hasn't been very busy with us. She added that the last two weeks in August are usually very difficult with staffing since the kids go to college. She said the main reason is really the staffing issue. Ms. Casey asked how we worked around the staffing problem for forty-

four other years because we have always had college kids as our guards. She then asked what meeting she should attend for discussion of this topic. Vice President Zygmont said it would probably be in December when they are discussing the budget.

ADJOURNMENT & EXECUTIVE SESSION

President Clark then adjourned the August Council meeting at 8:57 p.m. He stated that there would be one item for executive session.

Respectfully Submitted,

JOSEPH F. PANTANO
Borough Manager

Transcribed by Lynn Hartzell

BOROUGH OF HATBORO

PUBLIC WORKS DEPARTMENT

459 OAKDALE AVENUE
HATBORO, PA 19040

PUBLIC WORKS REPORT

Month: July, 2003

	Month	Year to Date
Loads of Trash	39	268
Tons of Trash	308.89	1,969.89
Street Opening Permits	5	11
Street Opening Fees Collected	$345	$1,267.47
Sidewalk/Curb Permits	15	30
Sidewalk/Curb Permit Fees Collected	$675	$1,410
Large Article Pick-up Stops	41	797
Amount of Large Articles Picked Up	223	797
Newspaper Tonnage	20.49	168.63
Grass/Leaves Tonnage	41.39	237.31
Recycled Glass/Cans Tonnage	15.90	91.18
Tires Recycled and Cost		$475.50
Recycles-Refrigerators/Freezers/Microwaves		
Cost of Above		

Remarks:

BOROUGH OF HATBORO

POLICE FUEL USAGE REPORT

3-Jul

37-1	37-2	37-3	37-4	37-5	37-6	37-7	37-8	
0	5.9		9.8	8.6	17.2	8.8		
	5.8		4		17.4	10.2		
	7.7		5.2			9.5		
	7.9		12.5			10.2		
	13.6		8.5			8.3		
	8.8		8.7			10		
	6.6		12.7			8.8		
	7.6		11.8			6.8		
	5.1		9.8			9.4		
	6.4		6.1			9.1		
	5.8		6.3			8.5		
	7.2		7.4			10.5		
	3.6		5.7			11.6		
	7.5		8.8			14.3		
	8.2		11.2			9.4		
	3.7		7.1			11.5		
	6.3		6.3			9.1		
	9.9		6.4			8		
	7.2		5.5			14.1		
	16		13.5			11.5		
	4.3		5.9			5.1		
	9.1		6.5			12.2		
	6.8		10.1			15.4		
	5.8		6.6			5.7		
	1.3		6			7.3		
	10.9		6.7			9.2		
	6.1		4.3			7.1		
	6.1		16.4			11.8		
	6.7		6.9			9.5		
	5.1		9			10.9		
	6.5		7			7.5		
	6.9		11.7			8.4		
	5.9		9.7			4.3		
	7.4		12.1			3.3		
	7.2		15.8			5.4		
	3		13.4			6.8		
0	249.9	0	315.4	8.6	34.6	329.5	0	938

Total Gasoline 938

at 1.05 gal = $984.90

_____
sign/initial

GENERAL FUND - Adj - _____ - Police Fuel Usage

Police Fuel	**01.410.250**	**D XXXX**	(charge account)
Maintenance Fuel	**01.437.410**	**C XXX**	(reduce account)

DIESEL

9-21-D	18.1	31.9	19.3	17.8	5.9	14.4	14	24.1	21.4	19.4	18.2	28.4			
11-1-D	22	22													
17-8-D	34.5														
18-9-D	26.3	29	34.2	34.3	19.9	31.9									
20-12-D															
21-13-D	27.3	29	26.5												
26-14-D	31														
23-15-D	37.9	28.8	29.7												
24-16-D	26.6	21.7	32.6	11.3	21.7	23.8	24.3	20.1	20.5	26.5	19.2				
25-17-D	2.9	0.4													
30-M-D															
43-2-D															
44-D	19.3														
TOTALS	245.9	162.8	142.3	63.4	47.5	70.1	38.3	44.2	41.9	45.9	37.4	28.4	0	0	968.1

GASOLINE

13-3-G	8.2	11.4	33.2	30.2											
14-3A-G															
15-4-G	17.3	35.8	13.2	2.1	34.1										
16-7-G	20.6	21.8													
19-11-G	13.1														
27-20-G	14.3	52.5	23	10.7	12.8	9.6	14.8	12.5							
28-59-G	27.8														
29-M-G	3	6.2	10.4	25.8	6.1	1.2	3.1	2.9	25						
42-24-G	21.2	16.9	11.1												
47-G	40.6														
48-G	28	26													
49-G															
50-G															
TOTALS	194.1	170.6	90.9	68.8	53	10.8	17.9	15.4	25	0	0	0	0	0	646.5

GASOLINE	646.5
$1.05 A GALLON	678.83

DIESEL	968.1
$.91 A GALLON	880.97

3-Jul

32-G	15.6														15.6	
33-G															0	15.6
31D	39														39	
30-D	17.4	2.5	3.2	19.9	10.3										53.3	92.3

TOTAL DIESEL	92.3
DIESEL @ $.91 A GALLON	$83.99

TOTAL GASOLINE	15.6
GASOLINE @ $1.05 A GALLON	$16.38

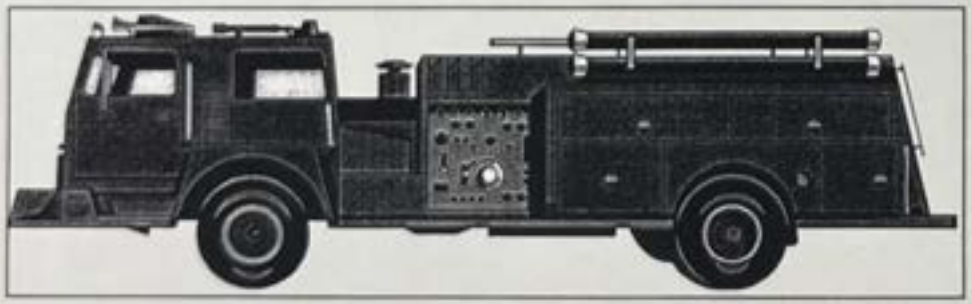
3-Jul

35-D	27	28	39.5	15.2											109.7
36-D	19.3	26.8													
37-D															0
45-D															
TOTAL	46.3	54.8	39.5	15.2	0	0	0	0	0	0	0	0	0	0	155.8

TOTAL DIESEL	155.8
DIESEL @ $.91 A GALLON	141.78

34-G	25.5	28.4													
38-G	11.6														
39-G	19.9	18.1	17.7												
40-G	16.4														
46-G															
TOTAL	73.4	46.5	17.7	0	0	0	0	0	0	0	0	0	0	0	137.60

TOTAL GAS	137.60
GAS @ $1.05 A GALLON	144.48



NORTH BOROUGH PARKING LOT MONTH & YEAR 3-Jul

PARKING VIOLATION

DATE	TIME	TICKET NUMBER	LICENCE NUMBER	MAKE & COLOR	WIN	LOST	METER
7/17/2003	14.02		EXK-0720	ACURA			38
7/17/2003	14.02		ELH-0720	PONTIAC			61
7/17/2003	14.02		DYM-8679	FORD			93
7/23/2003	13.03		DZM-2786	FORD			10
7/23/2003	13.03		DSJ-0816	SATURN			39
7/23/2003	13.03		DKD-3688	FORD			79
7/24/2003	13		FCF-5785	FORD			12
7/24/2003	13		F8410	HONDA			76
7/24/2003	13		DVX-0190	FORD			NOSPACE
7/29/2003	13.13		EKH-2036	HONDA			32
7/30/2003	13.07		EPR-9516	PONTIAC			13
7/30/2003	13.07		EPV-0223	SATURN			60
7/31/2003	12.23		FBL-1469	JEEP			96
					YEAR	$255.00	
					MONTH	$65.00	
					YEAR	$320.00	

BOROUGH OF HATBORO

OFFICE OF THE FIRE MARSHALL

414 SOUTH YORK ROAD
HATBORO, PA 19040

MONTHLY FIRE MARSHALL REPORT

Month of : July 2003

	THIS MONTH	YEAR TO DATE
Inspections	25	176
Re-inspections	0	11
Fire Investigations	3	34
Special Service	2	28
Fire Reports Issued	0	5
Permits Issued	2	17
Permit Fees Collected	$100	$675
Fire Report Fees Collected	0	$125
Inspection Fees Collected	$1,741	$6,548
Miscellaneous Fees Collected	0	$574.25
Total Fees Collected	$1,841	$7,872.25

Remarks:
U & O Inspections 3 for 35 Fees $900 for $11,570 Re-inspection 0 for 4

	Invest.	Inspt.	S. S.	Total
Stauch	2.30	1.05	3.30	7.05
Thomas	0.00	1.30	1.30	3.00
Sine	.30	6.55	0.00	7.25
Reading	0.00	1.00	0.00	1.00
TOTALS	3.00	10.30	5.00	18.30

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, September 22, 2003

PRESENT
President Clark, Councilpersons Acker, Polaneczky, Taggart, and Younglove, Treasurer McKean, Solicitor Meyer, Chief Gardner, Borough Manager Pantano, and Superintendent Stauch.

ABSENT
Mayor Celano, Vice President Zygmont, and Councilperson Ehrsam.

CALL TO ORDER
PRESIDENT CLARK called the meeting of the Council of the Borough of Hatboro to order at 7:33 p.m.

AWARDS
COUNCILPERSON TAGGART stated that he wanted to recognize a very special group of kids who won the **Pennsylvania State Little League Championship Junior Division** this year. He stated that this was a monumental task. The kids, the league itself, and the parents all did an outstanding job. He said the sacrifices they all made surely made the community proud. Councilperson Taggart mentioned that he was at Tinton Falls, New Jersey to watch them plat in the Eastern Region Tournament. He said it was great to see and it was fascinating to see the huge Hatboro contingent out there. He said they were actually playing against a New Jersey team and there were clearly more Hatboro fans there than New Jersey fans. Councilperson Taggart said many made the hour and a half drive to support the team and they did a fantastic job. He explained that in order to get to the State Championships they first had to get through the District 22 tournament, which is no easy task in itself, especially when you consider the size of Hatboro's program. The District 22's play teams like Horsham, Conshohocken, Upper Moreland, and Cheltenham. They went undefeated in that tournament and then traveled out to Dubois, Pennsylvania and played for the State Championship where they again went undefeated. Finally, they went to Tinton Falls, New Jersey to play in the Eastern Region Tournament, competing against teams from as far away as Maine and Maryland. In this tournament they placed in third place, falling just short of their goal to play in the Little League World Series. He added that to win a State Championship in a state the size of Pennsylvania, having Hatboro representing the entire Commonwealth of Pennsylvania, was a remarkable task. Councilperson Taggart introduced Pat Beadling from Senator Greenleaf's office. She was in attendance to present citations from the State Senate. Pat Beadling stated that Senator Greenleaf is in Harrisburg today and he asked her to attend in his place. She added that he sent his greetings to everyone and congratulations to the team. Pat Beadling explained that when her sons played for the Hatboro Little League, they would have been thrilled with a District Championship so this is quite an accomplishment. The Senator sponsored their citations, which are a part of the official records in Harrisburg. They are dated September 9, 2003. The citations read:

> WHEREAS the Senate of Pennsylvania is always pleased to recognize the outstanding achievements realized by the young people in this nation in a spirit of personal sacrifice and commitment to a goal and
>
> WHEREAS the Hatboro Junior Division Little League Baseball team has captured the 2003 Pennsylvania State Junior League Baseball Championship and through hard work and determination the Hatboro Junior Division Little League Baseball Team won the District 22 Title and the Section 5 Tournament prior to becoming the Pennsylvania State Champions.
>
> The Senate of the Commonwealth of Pennsylvania heartedly congratulates the Hatboro Junior Division League Baseball Team upon it's stellar season and championship victory, acknowledges its investment of skill and effort in competing on a level which demands perfection, and offers best wishes for continued success in all future endeavors.

Pat Beadling explained that each player and coach is named individually and the Senator has a copy of the citation for each of them. On behalf of the Senator, Pat Beadling said congratulations

and she thanked the parents for all of their hard work as she knows what it takes to get them back and forth to the field. She again thanked everyone for a job well done. Councilperson Taggart stated that State Representative Cornell is also in Harrisburg tonight but his citation reads:

> WHEREAS the House of Representatives of Pennsylvania is always pleased to recognize the outstanding achievement realized by the youth of this nation in the spirit of personal sacrifice, commitment to a common goal, and unity of a purpose and
>
> WHEREAS Hatboro Little League Baseball Team is being honored upon capturing the 2003 Pennsylvania Junior Little League Baseball Championship
>
> NOW THEREFORE the House of Representatives of the Commonwealth of Pennsylvania hereby congratulates the Hatboro Little League Baseball Team upon it's stellar season and championship victory, acknowledges its investment of skill and effort in competing on a level which demands perfection, offers best wishes for continued success in all future endeavors.

Councilperson Taggart stated that each of their names are listed individually. The last citation was from Borough Council for the Borough of Hatboro. It's a certificate of outstanding achievement and it reads:

> In recognition for your outstanding performance, good sportsmanship, and commitment to excellence which led to winning the Pennsylvania State Junior Baseball Championship.

Councilperson Taggart stated that this was also made out to each player and coach individually. Councilperson Taggart and Pat Beadling then distributed the citations and certificates to each player, coach, manager, and the president of the Hatboro Little League (Nathan Adams, Bobby Angeros, Michael Boyland, Matt Dolan, Dominic Dovidio, David Filson, Jimmy Hampshire, Joey Healy, Ian Hoff, Rich Lambert, Ben Roberts, Kyle Unger, Manager Dave Filson, Coach Bill Boyland, Coach Jim Hampshire, and Hatboro Little League President Dave Stoneback). PRESIDENT CLARK stated that on behalf of Borough Council and the community he would like to let the players know how proud we are. He thanked the coaches and the parents for the significant part they played in this accolade to our community. He added that we are very proud of all of the members and that our future is standing here before us. He said these fellows are to be commended and Borough Council and the community are very proud of their accomplishments. President Clark thanked them for allowing us to share in this piece of goodwill and good news.

MINUTES

PRESIDENT CLARK stated that Council is in receipt of the revised **August minutes**. COUNCILPERSON POLANECZKY stated that without going into detail he has a few commas and things to add to the revised minutes that were dropped off last night but he doesn't have them with him so he will drop them off. COUNCILPERSON YOUNGLOVE made a MOTION to approve the revised August minutes. This motion was SECONDED by Councilperson Polaneczky and APPROVED by Council unanimously.

PRESIDENT'S REPORT

PRESIDENT CLARK stated that he had nothing to report at this time.

BOROUGH MANAGER'S REPORT

BOROUGH MANAGER PANTANO stated that he had only a few items to report on tonight. The first item is regarding the **Tanner Park retaining wall**. The bid documents are done and the project is out for bid. He expects to receive bids by October 10th which is the Friday before the committee meeting and he will have a recommendation for award that Monday night. He said Council should recall that they are calling a special meeting that night just so they can award that particular project, assuming that they want to go ahead with awarding it that night. This is an Authority project and it was budgeted through the Authority. Therefore as soon as he receives the information on the bids he will forward the information to the Authority also. He expects the bids to come in somewhere in the range of about $30,000+.

BOROUGH MANAGER PANTANO stated that they have been talking about the **DCNR pool grant**. This grant is due October 15th and they are in the process of finalizing the information. As he

reported previously they are trying to put as much information in to make it as good of an application as possible because we have been turned down twice so far with this project and we would really like to see something happen. He said they are putting a lot of effort into it this time. This is also the one where they talked about doing the Peer-to-Peer Study so the application for that will also go in. Borough Manager Pantano announced that he will most likely need a resolution from Council that night so since we are holding a special meeting for the Tanner Park retaining wall, we will be able to pass this resolution the same night, provided Council has no problem with that. He stated that they would also advertise for it so as to make public notification for this grant application.

BOROUGH MANAGER PANTANO stated that Council is aware that we are significantly down in **Berkheimer Earned Income Tax collections** projected for next year. The estimates from Berkheimer are assuming that the vacancies that are there now will remain there. He hopes that the vacancies will not stay the same and the spaces will fill up. He added that they need to seriously talk about the Earned Income Tax deficit during their budget sessions.

BOROUGH MANAGER PANTANO stated that they talked about the **Design Challenge Grant Cooperation Agreement** for the Borough and Main Street, Hatboro. He has been in contact with Sam Friedman, Executive Director of Main Street, Hatboro and there was flexibility in the portion of the document that he was very concerned about with the 30-day requirement to turn the funds over to Main Street Hatboro as soon as the Borough gets it. We don't have to do that. We can reword the Agreement to allow the Borough to hold those funds until Main Street makes application for a specific project. Borough Manager Pantano reported that the other issue is the liability issue as to who would be responsible if for some reason Main Street gave the money out to some ineligible entity. We are going to be working on that and he will meet with Solicitor Meyer to get the wording to their satisfaction. Borough Manager Pantano explained that Sam Friedman has talked to a number of people and he is also trying to get in touch with a number of other Main Street Managers to see how they did their wording. He reiterated that he will be working with Sam Friedman and Solicitor Meyer to get some good language in there that they are all comfortable with and he will make that presentation to Council at a committee meeting. COUNCILPERSON POLANECZKY stated that he knows that he spoke to Borough Manager Pantano about the criteria being listed in the grant itself (or instance, EOC rules, etc. and major policies). He asked if there was a way to set up from that grant document a check sheet that at the time they ask us to release those funds we would present that check sheet to make sure the criteria has been met. This way on the back end we will not get hammered in an audit by the state and asked to return those funds because we have some kind of background document that says they have met those qualifications and haven't been excluded from the terms of the grant. Borough Manager Pantano said ok. Councilperson Polaneczky stated that it would probably be easy to do because the grant document itself is probably about thirty pages long. Borough Manager Pantano thinks that separate from that document itself they provide guidelines that you can follow to do that. Therefore with those combinations they can surely develop what Councilperson Polaneczky is talking about.

BOROUGH MANAGER PANTANO provided Council, in the packets, with some of the information he had received regarding **health Insurance coverage**. He added that they have been talking about this recently with the health coverage companies, at least the one we are dealing with, changing from a community rating system to a demographic rating system. This will most likely increase the premiums from 50-75% if it goes through. He already responded with a postcard response to our legislatures that was provided by Blue Cross/Blue Shield. He thinks that this is a significant enough issue, however, that we as a Borough should send some correspondence to our legislatures letting them know how concerned we are over this and how it will effect us. Borough Manager Pantano explained that what they are trying to do is get the State to pass some legislation that prohibits this type of rating claiming that it's discriminatory and whatever other arguments they are using. He mentioned that if Council agrees then he would like to prepare a couple of letters and send them out. He reminded everyone that this is a very significant issue and whatever we can do to hold the costs down would be very beneficial. PRESIDENT CLARK stated that he

doesn't think we can afford to wait and Borough Manager Pantano should put together correspondence to represent the voices of Council. Borough Manager Pantano said ok.

BOROUGH MANAGER PANTANO stated that Council may recall a number of years ago dealing with a company called **Metricom**. They were going to place equipment on our light poles that would provide a wireless Internet service. It was a good idea when they came up with it and we signed Easement Agreements and Agreements with the company and then they went bankrupt. There was a class action suit brought against Metricom and we received a check the other day for $132 as our settlement. He stated that the check amount itself was not significant but now that the issue is settled we may be getting contacted by other companies wanting to resurrect this issue. He received a call about six-eight months ago from another company wanting to know if we still had the equipment here and if it was still in place. They were looking at pursuing it at that point. Therefore we may get some further interest in that which would be a small revenue source to the Borough in the future if in fact it does go through.

BOROUGH MANAGER PANTANO updated everyone on the **goose control permit**. As Council is aware, we did get our own permit this year to try to address the goose problem. We are still working with the Goose Guys from the standpoint of dealing with the dogs and it has been working to some degree as it is much better than it was a couple of years ago. They are reapplying for the permit which allows us to go to the actual eggs and the nests to remove them or cover them with oil which prevents them from hatching but still allows the geese to think their eggs are ok so they do not go out and make new ones. The report was completed and got a number of nests this year. The Goose Guys gave us all of their information for their aspect of it and he reapplied for it for next year.

TREASURER'S REPORT

TREASURER McKEAN reported that as of 08/31/03 the balances invested in the Pennsylvania Local Government Investment Trust (PLGIT) totaled $2,414,568.30. Interest credited for the month was $1,486.81. Average yield for August was 0.72%. BOROUGH MANAGER PANTANO said it will be more next month because we are not with PLGIT anymore.

PAYMENT OF BILLS

PRESIDENT CLARK stated that Council has received copies of the **bills** and **manual check list**. COUNCILPERSON YOUNGLOVE asked if the **Nextel bills** are always that high. He stated that the recent invoice was for $1,335.92. BOROUGH MANAGER PANTANO stated that the bills usually run about $1,000 for all departments. He will check but he sees Bookkeeper Cannon split it there so she might have written a wrong number in. He said he will follow up on this and let Council know. He also stated that while they were going through the budgeting process he and Superintendent Stauch were looking at the Nextel bills and they thought that they were high. Since then, they have changed the plan to reflect the usage that we have and we expect the actual bills to drop by $500 per month. He said that just that in itself should be helpful but Councilperson Younglove is right that this one does look high for administration/code. He repeated that he will check into it and get back to them. COUNCILPERSON POLANECZKY asked about **t-signal control box repair** for $9,744. Borough Manager Pantano said that was for the lightning strike. SUPERINTENDENT STAUCH said it was for the traffic signal control at Byberry and Warminster Road. Borough Manager Pantano said that was insurance money. Councilperson Polaneczky asked when we had the lightning strike. Superintendent Stauch said it was about two months ago. Councilperson Polaneczky asked if it was replaced in the summer but we were paying for it now. Superintendent Stauch said yes. Borough Manager Pantano said he did not want to pay it until he got the insurance check. President Clark made a MOTION to approve the warrant list and the manual check list. This motion was SECONDED by COUNCILPERSON ACKER and APPROVED by Council unanimously.

MAYOR'S REPORT

PRESIDENT CLARK stated that Mayor Celano was unable to attend tonight but he sent his best wishes to the Fire Department, Police Department, and Public Works Department.

SOLICITOR'S REPORT

SOLICITOR MEYER stated that there was a **tax assessment appeal** for **M&M Realty**, on Jacksonville Road, approved by Borough Council due to contamination of property. Citations were filed by Fire Marshal Stauch and Code Enforcement Officer Heller regarding fire alarms, storage of abandoned cars, and the inoperable sprinkler system. All cars are to be removed and the sprinkler system is to be operable by October 16, 2003. Solicitor Meyer stated that the information Council requested regarding contamination was provided and he believes the property is scheduled for sheriff's sale in the very near future. He added that they went to court and made $750 in fines. He thanked Superintendent Stauch, Fire Chief Zollers, Code Enforcement Officer Heller, and Foreman Thomas for their help in cleaning the property of all cars. The fire sprinkler is set up and there should be an audible alarm hooked up as well. Solicitor Meyer also looked at the stipulation along with President Clark and the school district has an overpayment of $4,375 for the year 2002. We are at risk of $1,278.68 and the County is $639. He was told that the County and the school district all concur as well as the Board of Assessment Appeal so if Council would like they can authorize Solicitor Meyer to sign the stipulation to reduce their taxes and he will forward it to the solicitor of the School Board. COUNCILPERSON POLANECZKY said Solicitor Meyer is saying two things. One is that they are going to sheriff's sale for nonpayment of taxes. Solicitor Meyer said yes because we haven't signed it. Councilperson Polaneczky said they did not actually pay their taxes. Solicitor Meyer said he does not know the exact status but it reads:

> If the taxpayer pays taxes within the discount period the amount of overpayment refund will be 2% less than the amount set forth above. If the taxpayer pays taxes within the penalty period the amount of overpayment refunds due will be 10% more than the amount set forth above.

Therefore, Solicitor Meyer explained, it is covered both ways and he does not know the exact payment schedule of whether they made it or didn't make it. This is, however, representative of what the taxes are and how it will appear if they have paid them in a timely fashion. Councilperson Polaneczky stated that he was trying to assess if we approve this then do we have to cut a check for $1,278.68 or does this reduce an existing liability that they have not paid. Solicitor Meyer said he could not answer that question because he did not know. He further stated that it would be up to the Tax Collector to make those decisions. Solicitor Meyer said it states in the document:

> These calculations in bold are subject to verification by the Tax Collector and/or Business Manager at each taxing district.

Therefore there would be an accounting to make it correct and the numbers he provided are not exact numbers but they are reflecting reality which is representing what we could be losing. Councilperson Polaneczky clarified that it could be giving money back that we already have. Solicitor Meyer agreed. PRESIDENT CLARK asked what they needed to do to move forward on this. Solicitor Meyer said he needs a motion approving this stipulation. COUNCILPERSON YOUNGLOVE made a MOTION to approve the stipulation and order of settlement proposed reducing the tax assessment on the M&M Realty property. This motion was SECONDED by COUNCILPERSON TAGGART and APPROVED by Council unanimously. Solicitor Meyer said he would sign it and send it off to the proper places. Councilperson Polaneczky stated that he did not know if they could get it in the total number for the budget and asked Solicitor Meyer to forward the assessment reduction so he knows how much more to take out of the budget. Solicitor Meyer said he could contact the Tax Collector. Borough Manager Pantano said it was only $1,000.

SOLICITOR MEYER reviewed the **Belfus Property** plans, easements, and other documentation. He prepared and finalized the Developer's Agreement and Escrow Agreement and then he delivered them to their attorney. Solicitor Meyer announced that the building permit will not be issued until the agreements are signed, escrow is deposited, and the easements are recorded.

SOLICITOR MEYER stated that on September 4th the trial court affirmed the decision of the arbitrator, regarding **Carr & Duff v. Hatboro**, whereby the arbitrator found in the favor of Carr & Duff in the amount of $127,742.38. This includes the loss plus interest at 6% since July 18, 2002. COUNCILPERSON POLANECZKY asked if the interest was on top of the $127,742.38. Solicitor Meyer said yes. Councilperson Polaneczky stated that the 6% would be another $8,000. Solicitor Meyer stated that they have thirty-days to appeal that decision from September 4th but he does not recommend it. Councilperson Polaneczky asked when we had to pay it by. Solicitor Meyer said it is normally forthwith. PRESIDENT CLARK stated that this is a litigation they have been in for several years and he thinks they need to bring closure to it. He added that it is obvious that we are not going to win and it isn't any fun to have to pay this type of a bill but we have to move on. President Clark made a MOTION to pay the Carr & Duff bill. This motion was SECONDED by COUNCILPERSON YOUNGLOVE. Councilperson Polaneczky said he would like to ask to table it until the special meeting. He added that it can be voted on then because we are going to have to find out where we are going to get the money from. He assumes that we will ask the Water Authority to pay $135,000 since we do not have it. He thinks that although he is in probably in agreement with them and will probably vote to settle it that they owe it to the two council members who are not here, because he thinks they are at the school board meeting, to let them at least get their votes in. President Clark stated that these two council members did not let him know that they were not going to be present this evening so he is in a position to make a decision. Councilperson Polaneczky stated that this was not on the agenda to vote. President Clark said he knows but they are still not here. Councilperson Polaneczky said to go ahead and do it. With a vote of 4-0 having Councilperson Polaneczky abstaining, this motion was APPROVED by Council. Councilperson Polaneczky explained that he was abstaining because he feels the vote is improper and should include the other council people.

DEPARTMENT SUPERVISORS' REPORT

CHIEF GARDNER reported that **Officer Mark Ruegg** completed his Field Training Officer Program effective September 15th therefore he is out on the road patrolling. Chief Gardner stated that they are glad to have him working independently within the department. He added that this will certainly help offset the overtime expenses they have incurred over the last couple of years.

CHIEF GARNDER reported that they received a **body armor grant** from DCED through the help of Senator Greenleaf. Chief Gardner has moved forward with the procedure of getting estimates of body armor, pursuant to the grant. They will be under $10,000 so it will not be necessary to bid. He is still in the process of getting the prices together, however, there is a business that opened up in Hatboro and they are a dealer for the type of vest that is specified in the grant. He is pleased to report that they have given the Hatboro Police Department an outstanding price on the body armor which was much better than the vendor that they used previously and who they get their uniforms from. He hopes to move forward with that acquisition within the next month or so. Chief Gardner pointed out that one of the good parts about the timing of the grant is that there is an officer in the academy right now and when it is time to outfit him, we should be able to get the vest for him out of the grant money instead of out of the budget. COUNCILPERSON POLANECZY asked if body armor meant the vest. Chief Gardner said yes, it is the technical term for the soft body armor. It's a concealable patrol vest that you wear under your shirt.

CHIEF GARDNER announced that they received some money from the District Attorney's office this year and were able to purchase a **digital camera** and some **printers** with the funds. He added that he is pleased to note that the camera is very high quality. Chief Gardner would like to see, in the future, more of the film printing in house rather than spending all of the money at the camera shops getting film developed. He stated that the processing can be done in house and it is a much more professional way to store the photographs since they could be burned onto disks. He stated that this item, funded by the District Attorney's office, is very appreciated by Chief Gardner and his staff.

FIRE MARSHAL STAUCH submitted a report, in advance, which is attached.

SUPERINTENDENT STAUCH submitted a report, in advance, which is attached. He added that on Wednesday they held a meeting with all of the department heads regarding the approaching storm. On Thursday morning and afternoon, they set up the Emergency Operations Center (EOC) to prepare for the storm. Superintendent Stauch stated that they didn't really use the EOC. He added that the Public Works Department picked up the trash on Friday, which was more than some of the other towns did. They had four trees come down across the roads, a sinkhole at West Moreland and York, there was a tree down at Eaton Park, and there were no flooding problems. Superintendent Stauch announced that they are picking up trees and limbs with the trash because of the stuff that came down during the storm. Instead of picking up a half of a load today, there were three loads picked up. He stated that even the regular trash had trash and leaves mixed together so the trash that is usually done by 12:00 was not done until 2:00. They are expecting very heavy trash again tomorrow. He was pleased to report that there were not many problems and he recalls only one fire alarm that night. PRESIDENT CLARK stated that no matter how large or how small, the Public Works Department continues to do an excellent job. He stated that the Borough was in great shape by mid-morning and the trash was still collected. COUNCILPERSON ACKER thanked Superintendent Stauch for having everything textbook perfect from the Emergency Management standpoint. He said it was with the cooperation of Chief Gardner, Fire Chief Zollers, and Public Works they were all set to go in the event anything did happen. Councilperson Acker noted that among the scope of things with that storm, our problems were miniscule but it's always good to know that they are set up and prepared in the event it did make it to another level. They were prepared for the challenges and he was comforted knowing that. He also mentioned that he was outside at 7:10 a.m. and the trash was already collected. He thanked them for their good planning.

COUNCIL/COMMITTEE REPORTS

Administration – Dr. Clark

PRESIDENT CLARK made a MOTION to approve the submitted **Borough Authority bills**. COUNCILPERSON POLANECZKY asked if each bill could be approved separately. President Clark made a MOTION to approve the payment of the bill for the **Warminster Road Paving Project**. This motion was seconded by COUNCILPERSON YOUNGLOVE and was APPROVED by Council unanimously.

PRESIDENT CLARK made a MOTION to approve the payment of the bill for the **Public Works' telephone system**, which comes to a total of $3,370. This motion was SECONDED by COUNCILPERSON YOUNGLOVE. COUNCILPERSON POLANECZKY stated that this is the one that he questioned before. He added that in light of Councilperson Younglove's observation of the Nextel costs and the other phone systems that we have, he feels that we probably only need a two-line system at Public Works and not a four-line with hold and other things. He said he is still opposed to this purchase. With a vote of 4-1, having Councilperson Polaneczky voting no, this motion was APPROVED.

PRESIDENT CLARK made a MOTION to approve the payment of the bill for the **Revitalization Project**, in the amount of $14,965. This motion was SECONDED by COUNCILPERSON YOUNGLOVE and APPROVED by Council unanimously.

Budget & Insurance – Mr. Polaneczky

COUNCILPERSON POLANECZKY presented Council with the **2004 MMO**, which is the Minimum Municipal Obligation for pension liability. The amount that the Borough has to fund for the pension is based on a Defined Benefit Plan, which means that the employees receive a determined amount on the date they retire. He pointed out that this is not an amount, which is contributed by the employee and then grows or shrinks along with the economy. Councilperson Polaneczky stated that we have to contribute certain amounts to get there based on certain actuarial assumptions. He announced that our MMO this year will be $168,372.88 per the calculation of our actuary. This is

about $4,000 more than last year, however, it includes a few less employees. The majority of the $168,372.88 is for the police pension plan with only $14,700 for the non-uniform employees because this does not include several officers that we were down last year, next year's calculations will be based on a full contingent of officers. Councilperson Polaneczky stated that Borough Manager Pantano informed him that our actuary thinks we are a little too optimistic in the fact that we are saying or determining that we will get 7-8% return on our investment. Next year that will probably bump up quite a bit but at least this year it will be about $168,000.

COUNCILPERSON POLANECZKY stated that they have gone through the Public Works budget and the Police budget. He took a look at the budget that Borough Manager Pantano and Chief Gardner put together because he was not at the meeting. He said that he was informed by Councilperson Taggart that there will be a Fire Company budget by October 1st. COUNCILPERSON TAGGART said that is the tentative date. Councilperson Polaneczky stated that he is going to set up the workshop meeting for the budget for Council for Saturday, October 11th. That will be the Saturday before the committee meeting so that should enable Council to be able to present something at the committee meeting. At the request of several members of Council, this will be an executive session workshop and then they will come out with some numbers on Monday night to present to the public. Councilperson Polaneczky stated that he would set the time to be tentatively at 8:00.

Parks, Recreation, & Community Affairs – Mrs. Zygmont
PRESIDENT CLARK stated that Vice President Zygmont presented him with nothing for her agenda.

Public Relations – Mr. Younglove
COUNCILPERSON YOUNGLOVE made a MOTION to approve the **HatOberFest event** and the use of the Borough facilities pursuant to the event request form dated September 11, 2003, which Chief Gardner signed off on. This motion was SECONDED by COUNCILPERSON POLANECZKY and was APPROVED by Council unanimously.

Public Safety – Mr. Taggart
COUNCILPERSON TAGGART commended the **Emergency Operations Center** personnel about their preparation for the hurricane.

COUNCILPERSON TAGGART thanked Viki Connolly and Lynn Hartzell for getting everything together for the **Little League Presentation**. PRESIDENT CLARK thanked Councilperson Taggart, on behalf of Council, for orchestrating the presentations this evening.

Public Works & Public Properties – Mr. Ehrsam
PRESIDENT CLARK stated that Councilperson Ehrsam did not present anything to him for this agenda.

COUNCILPERSON POLANECZKY stated that they did receive something in the packets regarding an **unfair labor practice complaint**, which is public information. He said anyone who would like to, can contact the Labor Relations Board. He wanted to ask Councilperson Ehrsam about some of the stuff but since he is not in attendance he can't. Councilperson Polaneczky stated that he wanted to ask about hiring a part-time worker, which he thought we hired, to water the flowers on Main Street. He said the union is making the claim that we have always used union workers to water the flowers. Councilperson Polaneczky stated that this is getting kind of ludicrous. BOROUGH MANAGER PANTANO explained that what was supposed to happen was that Councilperson Ehrsam was supposed to secure a number of volunteers last year to water the flowers. We bought the flowers and put them up and the people that volunteered did not come through so we ended up having to have Public Works water them for that year. Councilperson Polaneczky asked if it was one of the summer kids watering the flowers this year. Borough Manager Pantano said he does not know who watered them. He knows it was someone from

Public Works. Borough Manager Pantano further explained that this year we were able to secure someone reliable to do the watering and that is what we did. In turn, this is what generated what Councilperson Polaneczky is referencing. Councilperson Polaneczky stated that that was the money we received from Hatboro Federal or someone paid for that. Borough Manager Pantano said that was last year. Councilperson Polaneczky said ok and that he wasn't sure how it was taken care of but some of it is getting a little crazy. He said he hopes that Councilperson Ehrsam will be in attendance next time so he can address him directly with his questions.

Zoning, Development & Historical Preservation – Mr. Acker
COUNCILPERSON ACKER said he wanted to consider approval for the subdivision and land development plans submitted for **211 Lancaster Avenue**. He said a representative from Prime Building Group came before Council for a minor subdivision of the lot at 211 Lancaster Avenue. When looking at this there was an encroachment of the side steps into the lot therefore it required the Applicant to go before the Zoning Hearing Board for variance approval. The Applicant went before the Zoning Hearing Board and received their approval which then put them back into the process of going forward with the subdivision approval from the Planning Commission and the Montgomery County Planning Commission. He then stated that everyone agrees to move forward. COUNCILPERSON ACKER made a MOTION to approve the subdivision for 211 Lancaster Avenue pursuant to the Applicant satisfying all issues as delineated in the letters by Borough Engineer Solarz on May 13th and September 15th. The recommendations included recording the plot plan incorporating the decisions and conditions mandated by the Zoning Hearing Board, and abiding by statements made in the minutes of the Planning Commission meeting on September 16th relative to the planting of the hedges and the cutting down of the trees. This motion was SECONDED by COUNCILPERSON POLANECZKY and was APPROVED by Council unanimously.

NEW BUSINESS
COUNCILPERSON POLANECZKY stated that he spoke with Dr. Lessa at length this week. He said he was a real nice and personable gentleman. He urged him personally and told him that he supported whatever they felt was necessary in their **negotiations** with the **School District**. He said he obviously did not speak for Council but as an individual, a taxpayer, and a single Councilman in Hatboro he said that he would say something at the Council meeting tonight letting everyone know that he does support their negotiations in whatever they feel is correct and legitimate. Councilperson Polaneczky stated that after talking to Dr. Lessa and listening to the presentation at the Loller Building, he is confident that they are looking down the road with increased insurance costs and all of the same things we are facing, that he is behind him. He added that he told Dr. Lessa that he believes that many of his fellow Council members would like to add their voice to support the School Board and whatever they feel is correct. Councilperson Polaneczky added that they are over there now, at the School Board meeting, and he would like to go over there when he leaves the meeting tonight.

PRIVILEGE OF THE FLOOR
Bill Tompkins, Spring Avenue, stated that he notices that it happens occasionally with Borough Council when items are added to the **agenda**. He said this happened tonight, for instance. He added that there is a privilege of the floor to discuss items on the agenda and he asked if we could update the agenda so people could address these items before the vote is taken or open up a privilege of the floor for items that are not on the printed agenda. COUNCILPERSON YOUNGLOVE stated that a way to resolve this would be if items appear that are not on the agenda then before we vote we could have a discussion about the new item, under those circumstances.

Ron Battis, West Moreland Avenue, stated that the last time there was a quick meeting he brought up the sidewalks and that was easily resolved. He recently did a survey and he found that **house numbers** are only about 50% in town. He added that if he was an emergency person, and he checked with a Second Alarmers' fellow, only about half of the homes have their house numbers posted anywhere. COUNCILPERSON YOUNGLOVE asked Superintendent Stauch if that was

part of our Use & Occupancy requirements. SUPERINTENDENT STAUCH said yes, for houses and businesses. Councilperson Younglove stated that whenever there is a sale or a turnover of a property or building, they are required to have a Use & Occupancy inspection and that is one way to settle this issue.

Ron Battis stated that they are putting the main **sewer** vent by his house. He wondered if they were responsible for any potential flood damage that may be caused by a storm. He explained that he looked it over and they are not really set up too well to handle a lot of water. COUNCILPERSON POLANECZKY stated that Solicitor Meyer might be a better person to ask but he thinks that we would require them to repair any damage that resulted from their operations. Ron Battis said the way they have the stone and the manholes, the water could actually go way into the pool and up Moreland Avenue.

Ron Battis said that he knows this should have been brought up at a committee meeting but he wanted to alert Council to this so it could possibly be discussed at the next committee meeting. He explained that since we paved the track at **Eaton Park** we have had an increase of business there about 500-fold. He went out of town and at 5:30 there was someone there carrying weights and it was dark. He apologized for not talking to Superintendent Stauch about this before the meeting. Mr. Battis stated that the track is lit until you get to the back end of Linden Avenue where you get into the woods and then come back out again. There is power to Eaton pavilion and to the basketball courts. His thought is to put two pole lights down in the corner facing Blair Mill so they don't impact the folks on Linden Avenue. The cost would be two poles because we have the lights from when we took them down from Main Street. That way the whole jogging path would be lit. Mr. Battis stated that the two advantages are it would help the Police Department because there are a lot of things going on back there late at night and he is also concerned about the Centennial problem that they had behind their field house early in the morning. He added that some people don't use common sense when they run and jog and this way the entire track would be lit. He doesn't think it would cost much because all they have to do is bury cable and put two poles in. He even thought about where they could be located so they would not be shining into anyone's home. Mr. Battis stated that this would surely take care of a liability problem that he sees because the back of the track is very dark.

Joe Reading, 209 W. Monument Avenue, stated that he travels a lot and when you enter many municipalities there is an eye catcher there for something to see. He suggested that it might be nice to hang a sign above York Road designating the young men who brought back their **Little League championship** back to Hatboro. PRESIDENT CLARK said it is a good idea.

PRESIDENT CLARK wished Borough Manager Pantano a happy anniversary.

ADJOURNMENT & EXECUTIVE SESSION

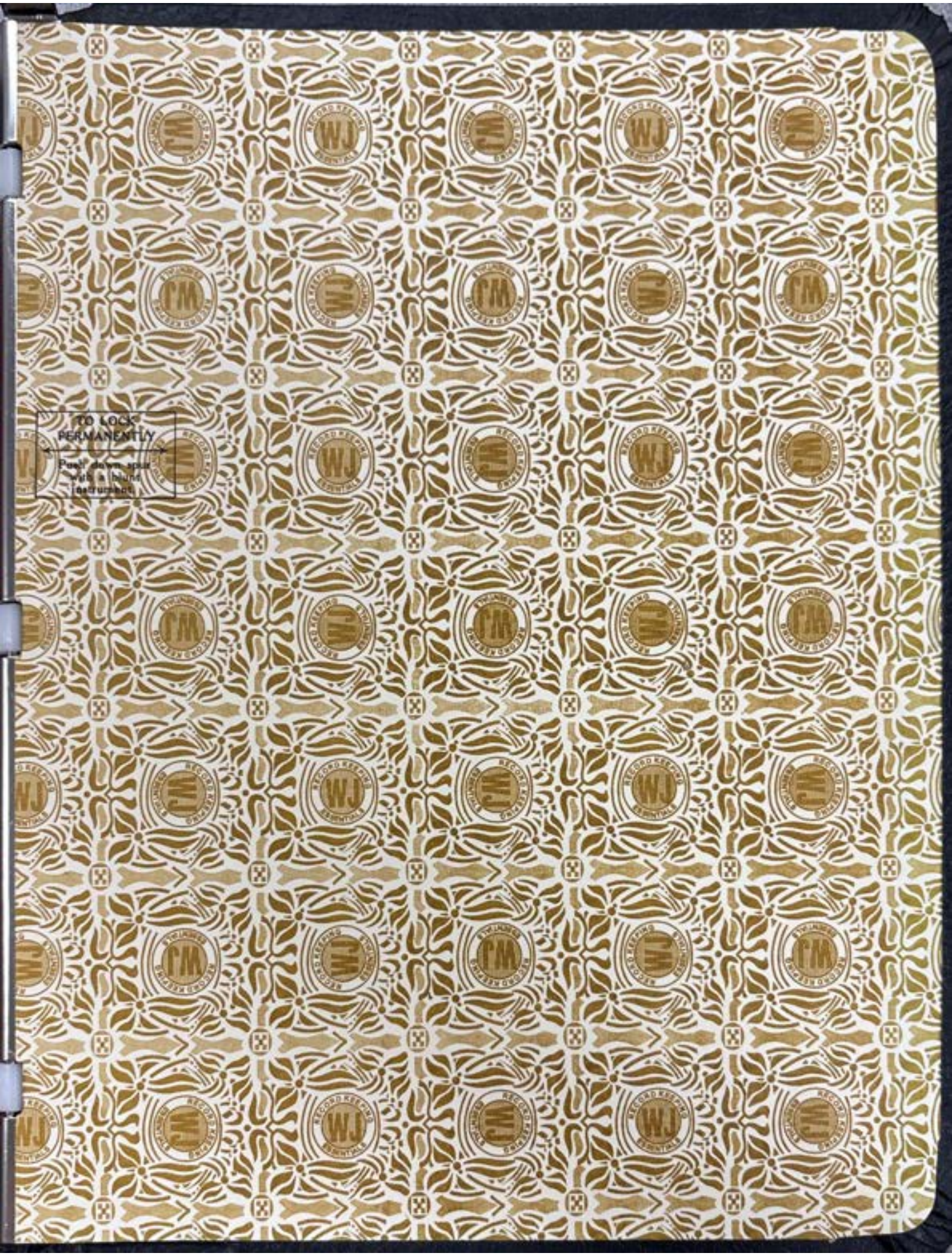
President Clark then adjourned the September Council meeting at 9:15 p.m. He stated that there is no executive session this evening.

Respectfully Submitted,

JOSEPH F. PANTANO
Borough Manager

Transcribed by Lynn Hartzell

WJ
RECORD KEEPING
ESSENTIALS


TO LOCK PERMANENTLY
Push down spur with a blunt instrument